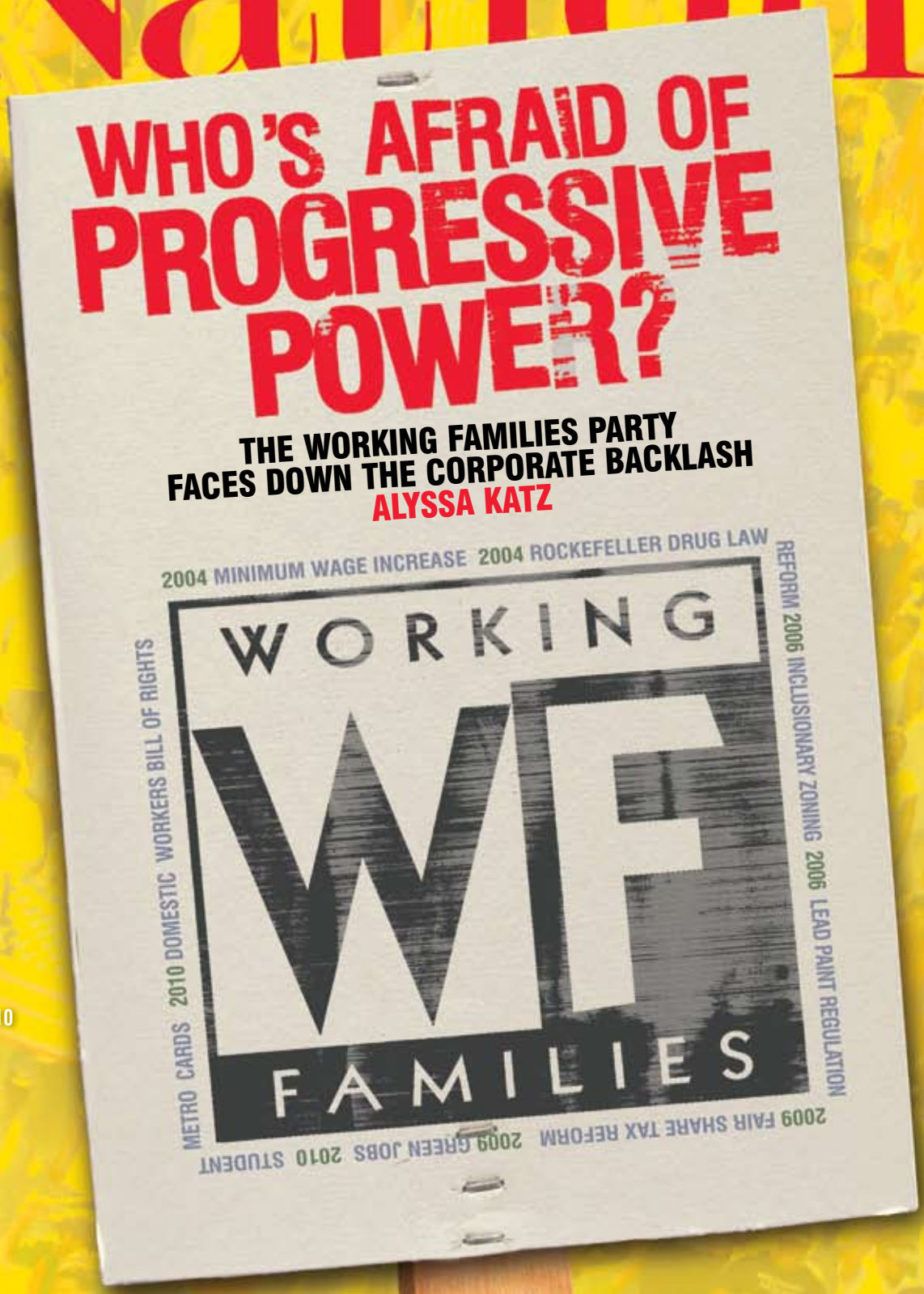
INSIDE THE MORTGAGE FORECLOSURE CRISIS

THE Nation.

WHO'S AFRAID OF PROGRESSIVE POWER?

THE WORKING FAMILIES PARTY FACES DOWN THE CORPORATE BACKLASH

ALYSSA KATZ



NOVEMBER 1, 2010
TheNation.com

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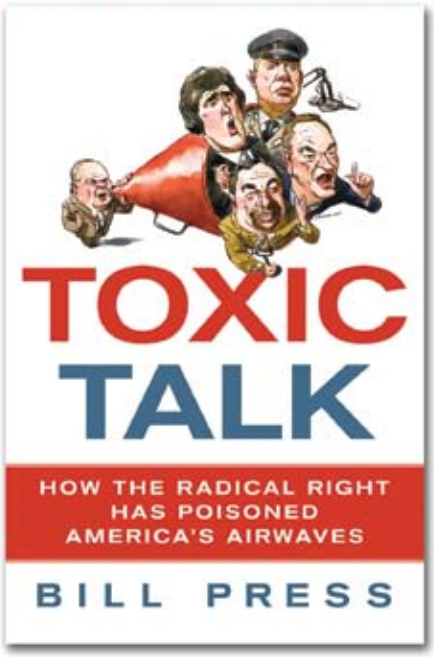

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Letters

Ten Things? How About Twenty! Thirty!

Salem, Ore.
Re Thomas Geoghegan's "Ten Things Dems Could Do to Win" [Sept. 27], an eleventh aim: confronting that elephant in the room that feeds on Wall Street and banks too fat to fail—uncontrolled military spending on weapons we don't need, troops yet stationed in WWII venues and two US-provoked, unwinnable wars.
T.R. Melton

Albuquerque
Here are my additions to the list:
11. Thank the progressive base—stop insulting us.
12. Lead, don't follow—that's what majorities are for.
13. Sell your agenda, explain why it's good for me, using ten words or less per item.
14. Stop using words like "resonate"—try "We care about you" or "The GOP lies."
15. Support public financing of elections.
Nancy Woodard

St. Louis
I'd add to the list: make election day a national holiday. I bet the increase in the number of folks of little means who'd vote would be huge. They're part of our base.
Danny Kohl

Warren, N.J.
First, we need to tame the military-industrial gorilla, since half our red ink flows to war. Second, suing corporate officers who loot their firms might knock out *Citizens United* far faster than the hard slog to a constitutional amendment, but employees who sue need financing and protection from retaliation. Finally, tell us *how* to end the filibuster.
John Raby

Montpelier, Vt.
Thanks for explicitly advising us to "read, or reread, Marx for what is still the most thoroughgoing critique of capitalism." There is no ending the capitalist menace without Marxist analysis and strategy.
Carl Martin

letters@thenation.com

KIPPsters—Way Kool

Houston
Pedro Noguera's "Schools vs. Slogans" [Sept. 27] mentions the relationship between KIPP (Knowledge Is Power Program), the organization I co-founded, and Teach for America (TFA). I have great respect for Professor Noguera, but I must clarify a point concerning the role of Teach for America teachers at KIPP.

Noguera states that KIPP "will hire Teach for America fellows only as assistants until they have proven their effectiveness in the classroom." In fact, TFA corps members are hired at KIPP as full-fledged lead teachers, not assistants. Here in Houston, where I am superintendent of eighteen KIPP schools, our TFA members are doing a fantastic job of helping us close the achievement gap.

For example, one of our teachers at KIPP Houston, Remington Wiley, is an alum of KIPP and TFA. After completing fifth through eighth grade at KIPP Academy, she went on to Deerfield Academy and Spelman College before joining TFA and coming back to KIPP. We gave her the same responsibilities as any teacher, and she is an incredibly valuable faculty member. Nationwide, the vast majority of KIPP schools have TFA teachers, and 60 percent of our school leaders got their start in TFA. These folks contribute greatly to helping all our KIPPsters climb the mountain to and through college.
Mike Feinberg

DNA=Do Not Apply

New York City
Re "Freshmen Specimen" [Sept. 27]: In presenting the risks involved in personalized genetic testing, Patricia Williams overlooks what may be the most troublesome recent development in the field: overregulation by public health authorities that prevents people from voluntarily analyzing their own DNA. What happened at Berkeley could not happen

(continued on page 26)

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Democracy for Sale

On October 6, amid the tidal wave of corporate cash flooding the 2010 campaigns—which could attach a $5 billion price tag to the most expensive midterm election in history—Bill Moyers told Common Cause that money in politics is "the dagger directed at the heart of democracy." He had just warned that "the activist reactionary majority on the Supreme Court…has opened the floodgates for oligarchs and plutocrats to secretly buy our elections and consolidate their hold on the corporate state."

EDITORIAL

What is happening this fall is not just about parties and candidates or television attack ads or a media fantasy of "the grassroots Tea Party movement." We are witnessing an assault on democracy by multinational corporations that, freed by the *Citizens United* ruling, are out to get the best government money can buy. Who's buying? Billionaire businessmen with a stake in energy, finance and telecommunications policy debates—like Trevor Rees-Jones, Robert Rowling and Jerry Perenchio—are writing checks for as much as $1 million each to Karl Rove's American Crossroads project. What's more, Crossroads GPS, an allied group that's pouring tens of millions into Congressional races, is organized under tax laws that allow Rove to hide the names of donors. But we do know the targets: by early October, the group had spent $14 million on ads attacking senators Barbara Boxer in California and Patty Murray in Washington, as well as a handful of other Democrats in races that could decide which party controls the Senate.

The Crossroads campaign is part of a broader push from corporations to buy not just Congress but a guarantee that there will be fewer challenges to corporate abuses, bankster speculation and free-trade policies that allow multinational corporations to shutter American factories while exploiting the world's poorest workers.

Fronting this corporate campaigning is the US Chamber of Commerce, which, according to the Center for American Progress, collects and deposits money from US-based multinationals and groups from India and Bahrain that ends up "in the same 501(c)(6) account the Chamber is using to run an unprecedented $75 million attack campaign, mostly against Democrats." The Chamber joins Crossroads and other Republican-friendly groups in refusing to reveal its sources of funding.

Reformers are under attack from Rove's apparatchiks for demanding enactment of the DISCLOSE Act, which Democracy 21 president Fred Wertheimer says "would carry forward a forty-year-old principle of campaign finance laws that campaign contributions and expenditures should be disclosed." That's a start, but transparency is not enough. Wisconsin Senator Russ Feingold, a target of the Chamber's attack ads, is right when he says the central issue is corporate power. Democrats should pick up on Feingold's theme, in this campaign and in the next Congress. They must push responses ranging from public funding of campaigns to amending the Constitution so that it guarantees that legislatures can regulate corporate campaigning. More is at stake than House and Senate seats. "Democracy in America has been a series of narrow escapes, and we may be running out of luck," warns Moyers. If the dagger of corporate money pierces the heart of democracy this year, we may not have the strength to pull it out afterward. The 2010 election is a watershed for America. It is money versus democracy. We dare not let the money win.

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COVER DESIGN BY GENE CASE & STEPHEN KLING/ AVENGING ANGELS; ILLUSTRATION BY CAITLIN DOVER

VOLUME 291, NUMBER 18, NOVEMBER 1, 2010
PRINTED OCTOBER 13

LICENSED TO UNZ.ORG
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INTERNET: Selections from the current issue become available Thursday night at www.thenation.com.

Printed on 100% recycled 40% post-consumer acid- and chlorine-free paper, in the USA.

On Loving Queer Kids

When I read that 18-year-old Rutgers freshman Tyler Clementi had committed suicide by jumping off the George Washington Bridge days after two students streamed a video of him hooking up with another man, my heart sank. Tyler grew up in New Jersey and played the violin, and I did too. I don't know what life was like for Tyler before he chose to end it, but my early high school years were spent improvising survival strategies. I mentally plotted the corridors where the jocks hung out and avoided them. I desperately tried to never go to the bathroom during the school day. I was Asian and gay, stood 5-foot-2, weighed 95 pounds and when I got excited about something, my voice cracked into a register normally heard among Hannah Montana fans. If it weren't for the fact that I ran really fast and talked even faster and enjoyed the protection of a few popular kids—well, it's not hard to imagine a similar fate.

COMMENT

I say all this not to elicit pity—I'm a bigger boy now, and I bash back—but to make it clear that I'm conditioned to abhor people who bully queer kids. There's nothing that raises my hackles more than seeing an effeminate boy being teased. But I also find myself reluctant to join the voices calling for the law to come down hard on Dharun Ravi and Molly Wei, the Rutgers students who streamed the video and who are now facing "invasion of privacy" charges. If convicted they could get up to five years in prison; the gay rights group Garden State Equality is calling the incident a hate crime, and if the two are prosecuted under New Jersey's hate crimes law, their sentence could double.

What Ravi and Wei did was immature, prurient and thoughtless; it undoubtedly played some role in what became an awful tragedy. That they acted with homophobic malice, that they understood what the consequences of their actions might be or that their prank alone—or even chiefly—triggered Clementi's suicide is far less clear. There's no record of Ravi or Wei discriminating against gays in the past, and there's nothing exceptionally homophobic about the tweet Ravi sent—"I saw him making out with a dude. Yay." One could easily insert "fat chick" or "jerking off to porn" into the scenario, which wouldn't have made it any more acceptable for Ravi and Wei to surreptitiously broadcast the incident, but might have provided just as much inducement anyway. More important, we know virtually nothing about Clementi's life, including how he felt about his sexuality or whether he found affirmation of it at home, among his friends or at school.

But for some gays and liberals shaken by Clementi's suicide, the complexities and unknowns don't seem to matter. It's convenient to make Ravi and Wei into little monsters singularly responsible for his death. In the words of Malcolm Lazin—the director of Equality Forum, a gay rights group calling for "murder by manslaughter" charges, a demand echoed on sympathetic blogs and Facebook pages—the duo's conduct was "willful and premeditated," an act so "shocking, malicious and heinous" that Ravi and Wei "had to know" it would be "emotionally explosive." Every one of these accusations is entirely speculative, a fact that you'd think Lazin, a former assistant US Attorney, would bear in mind before rounding up the firing squad.

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Noted.

LIU THE LAUREATE: Until recently, it was difficult to pick a single word to describe **Liu Xiaobo**. Not yet 55, he's already been—or still is—a prizewinning essayist, human rights activist, poet, literature professor, political prisoner and co-author of Charter 08 (a bold Internet petition modeled on **Václav Havel**'s Charter 77). On October 8, though, Liu received an honor that will define him for the rest of his life: the **Nobel Peace Prize**.

Liu's win was not surprising—bookies had declared him the odds-on favorite. Equally predictable was how Beijing reacted, alternately trying to prevent news of the award from circulating in China and condemning the Prize Committee for honoring a "criminal." One thing that was surprising was that Liu's wife was able to visit him in jail and tell him of his victory. Soon, though, the authorities reverted to relying on the standard playbook and placed her under house arrest.

We hope Liu's selection will contribute somehow to making China freer. Whether it will isn't clear. For now, the government's stance toward persistent critics will harden, while official complaints that foreigners are determined to meddle in China's affairs will increase. Yet Liu's win could bolster the resolve of a broad spectrum of activists there.

It is uncertain what the future holds for Liu the prisoner (and his cause); but for Liu the writer, becoming a Nobel laureate is a coup. More people will read his words now, poetry and petitions alike. China's leaders have made many efforts to silence Liu. Ironically, though, it was partly the crudeness of their latest attempt (sentencing him to eleven years in prison for his Charter 08 activities) that helped him win a new prize—and gain new readers.

MAURA ELIZABETH CUNNINGHAM AND JEFFREY WASSERSTROM

MAYOR MIKE: DON'T GET SICK: Most *Nation* readers likely take paid sick days for granted. Unfortunately, millions of low-wage workers lack even this basic workplace right (disproportionately in food service, where we'd especially want sick workers to stay home for public health reasons).

So the New York City Council is considering legislation—supported by the **Working Families Party**, **Gloria Steinem** and the council's **Progressive Caucus**—to grant a handful of paid sick days to all workers in the city. San Francisco adopted this policy in 2006, and a recent survey of employers by the **Urban Institute** found that "they were able to implement the paid sick leave requirement with minimal impacts to their business."

But that hasn't stopped Mayor **Michael Bloomberg** from fulminating against the bill in the *Wall Street Journal*: "It would be a disaster if the government tries to get in to run small businesses. If they run the bars and restaurants, they'll try to run everything else. This is…a terrible, terrible idea and would be disastrous for New York City." From a Tea Party conservative, this would hardly be surprising. But from the mayor who required bar owners to ban smoking and restaurants to post their calorie counts?

In the new urban manager model typified by Bloomberg, you can regulate for greener cities, friendlier to the creative class. But if you propose to use similar regulatory tools to provide even a small measure of security to low-wage workers, beware!

With a federal government all too likely to be gridlocked, cities must regain their historic role as laboratories of innovative public policy aimed at creating a more equal society. Making sure that no worker in NYC has to go to work sick is a good place to start.

NYC COUNCIL MEMBER BRAD LANDER

ROLLBACK REPUBLICANS: This year's Republican Senate candidates have a lot of ideas for how to roll back the social and economic progress of the twentieth century. Kentucky's **Rand Paul** got into trouble for expressing qualms about the Civil Rights Act of 1964. Colorado's **Ken Buck** has proposed "privatizing" VA hospitals. Alaska's **Joe Miller** says unemployment compensation is unconstitutional.

But in the backward race, the winner might well be West Virginia's **John Raese**, who says he "absolutely" wants to abolish the federal minimum wage. "You don't want government to set wage controls," says Raese. "It's an archaic system that frankly has not worked." Actually, it has "worked" for low-wage workers in West Virginia—roughly 60,000 of whom benefited from the last federal minimum-wage hike. So Raese is wrong. But he's not alone. Alaska's Miller has the federal minimum wage on his list of unconstitutional threats to states' rights. And Connecticut's **Linda McMahon** proposed that "we ought to review" wage standards—a stance that caused such a controversy that McMahon backtracked, claiming she "misunderstood" a simple question about the base pay for the poorest Americans. No surprise there. Like Raese, McMahon is a multimillionaire.

JOHN NICHOLS

OBAMA'S CHOICE: US District Judge **Virginia Phillips**'s October 12 ruling ordering the military to immediately stop enforcing **"don't ask, don't tell"** puts the Obama administration in an awkward position. Although **President Obama** supports a repeal of DADT, his strategy has been to lift the ban through consensus—asking the military to study the issue and Congress to pass repeal legislation. That process ground to a halt in September when every Senate Republican (plus Democrats **Blanche Lincoln** and **Mark Pryor**) filibustered a repeal bill, even though top military brass supported it. In the meantime, the Justice Department fought the **Log Cabin Republicans** in the case before Judge Phillips, arguing that the military and Congress, not the courts, should make the decision.

The Log Cabin Republicans won—Phillips ruled on September 9 that the ban was unconstitutional, paving the way for the October order. Obama officials have sixty days to decide whether to appeal the ruling. If they decline, DADT is history. If they appeal, the case could wind up in front of the Supreme Court.

Behind all this legal wrangling is the calculation that legislative advances of gay rights are more likely to endure, while court orders often foment a public backlash. That may have made sense a year ago, when Democrats had sixty Senate seats and the Republican Party was still relatively sane. But September's lesson is clear: Republicans will obstruct legislation even if doing so endangers national security interests. So Obama has a choice: he can put the executive branch in line with the courts and with justice and decline to appeal Judge Phillips's ruling, or he can further empower the Party of No.

RICHARD KIM

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Clementi's is the latest in a rash of suicides by gay teenagers, most of them boys. Since September 1 that body count includes Billy Lucas, a 15-year-old from Indiana who hanged himself after repeatedly being called a "fag" by his classmates; Asher Brown, a 13-year-old Texan who shot himself after his fellow students performed "mock gay acts" on him during gym class; and 13-year-old Seth Walsh from California, who hanged himself from a tree in his backyard after being teased for years for being gay. In each of these cases, news reports focused almost exclusively on the bullies—other teenage kids—as the perpetrators in what's been dubbed "an epidemic of antigay bullying." In each of these cases, liberals and gays expressed dismay that the bullies weren't being charged with crimes. Few of the reports asked what home life was like for these gay teens or looked into what role teachers, schools and the community played in creating an environment where the only escape from such torment seemed to be death. And at least initially, too few drew the line to the messages mainstream adult America, especially its politicians, sends every day.

That silence was shattered in the wake of comments made by New York Republican gubernatorial candidate Carl Paladino on October 10 to an audience of Orthodox Jewish leaders. Speaking just hours after eight members of the Latin King Goonies gang were arrested for torturing and beating three gay men in the Bronx, Paladino said that children should not be "brainwashed into thinking that homosexuality is an equally valid and successful option." The incident provided a succinct lesson: words matter. Even if they don't directly incite violence, hateful utterances from the political class allow people to think of gays and lesbians as less than human, as deserving of contempt, assault, murder.

Paladino is not alone in pandering to homophobia and letting the fists fall where they may. Senator Jim DeMint of South Carolina is in the news of late for doubling down on his 2004 statement that out gay people (and unwed mothers) should be banned from teaching in public schools. New Hampshire Senate candidate Kelly Ayotte and Nevada Senate candidate Sharron Angle support making gay adoption illegal, as did Florida's Charlie Crist until he flipped his position and tacked to the center in his race against Tea Partyer Marco Rubio, who still supports the ban. These right-wing policies would discriminate against gay adults, but what fuels them is the anxiety that having openly gay men and women teaching and raising kids would make it known to children that being gay is a survivable, "equally valid," even joyous, condition. The real targets here are queer kids, and the message is quite simple: please don't exist.

At least the right is relatively honest in its brutality. Oregon has no ban on gay teachers, but that didn't stop the Beaverton school district, located just outside lefty Portland, from removing Seth Stambaugh from his fourth-grade classroom. A 23-year-old teaching intern, Stambaugh responded to a student's question about why he wasn't married by saying that gay marriage is illegal in Oregon. A spokeswoman for the school board claimed that the action wasn't discriminatory but rather based on concerns about Stambaugh's "professional judgment and age appropriateness."

And there you have a pithy example of the limits of liberal tolerance; even in communities that would denounce the DeMints of the world, a palpable phobia remains when it comes to the children. Gay teachers should teach, until they teach about the plain realities of being gay. (It's this vacuum in education that inspired Dan Savage's direct-to-teen YouTube campaign It Gets Better.) Let's just have the kids figure it out themselves and come out when they're all grown up rather than ask questions we'd rather not try to answer: What does the "closet" mean for a kid who announces she's gay when she's 11, or 5? What to make of the fact that your little boy begs to dress exclusively like Taylor Swift? Is he gay or trans or just going through a phase—and oh, God, isn't not knowing the worst of it?

Even for liberals who like to think of themselves as pro-gay, this is uncharted territory, little discussed except perhaps in the deepest corners of Park-est Slope. So when faced with something so painful and complicated as gay teen suicide, it's easier to go down the familiar path, to invoke the wrath of law and order, to create scapegoats out of child bullies who ape the denials and anxieties of adults, to blame it on technology or to pare down homophobia into a social menace called "antigay bullying" and then confine it within the borders of the schoolyard.

It's tougher, more uncertain work creating a world that loves queer kids, that wants them to live and thrive. But try—try as if someone's life depended on it. Imagine saying, I really wish my son turns out to be gay. Imagine hoping that your 2-year-old daughter grows up to be transgendered. Imagine not assuming the gender of your child's future prom date or spouse; imagine keeping that space blank or occupied by boys and girls of all types. Imagine petitioning your local board of education to hire more gay elementary school teachers.

Now imagine a world in which Tyler Clementi climbed up onto a ledge on the George Washington Bridge—and chose to climb back down instead. It's harder to do than you might think.

RICHARD KIM

Calvin Trillin, Deadline Poet

Times Says That as a Real Estate Developer Carl Paladino, Who Has Contributed Half a Million Dollars to Buffalo Pols Since 1999, Has Found Zoning Variances Easy to Come By

The special interests must be fought, he says.
With language that is colorful and curt, he
Insists that Albany will be cleaned up,
Though Buffalo can stay a little dirty.

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Labour's Identity Crisis

London

Autumn in England means drizzly mornings, dark afternoons and a quick snapshot of the balance of political forces as the main parties all hold their annual conferences. This year also brought a cruel lesson in the frustrations of opposition. The Labour Party conference in Manchester was mesmerized by the final act of a fratricidal struggle between the brothers Miliband, and though Ed triumphed in the contest for party leader, his older brother David's histrionic departure, not just from the conference but from frontline politics, dominated the headlines. It wasn't until the announcement of his shadow cabinet that Ed Miliband began to suggest what kind of opposition he intends to offer to the Conservative–Liberal Democrat program of massive budget cuts.

COMMENT

Meanwhile, at the Tory Party Conference in Birmingham George Osborne, who will someday inherit a baronetcy (and several million pounds) from his father and currently serves as Chancellor of the Exchequer, announced the elimination of child benefits—monthly payments made to all families with children—for households where either parent earns more than £44,000 ($70,000) a year. He also announced that total welfare payments to any family—which increase with the number of children—would be capped at the level of the national median income, £500 (about $800) a week.

Apart from underlining the government's ability to suddenly change the terms of the debate, Osborne's moves, though greeted with outrage by Labour and most of the left, showed tremendous cunning. Given the seemingly universal acceptance of fiscal austerity as the only feasible response to Britain's trillion-pound government debt, continuing to hand out £1,000 a year (for the first child—and £700 for each additional child) to parents, regardless of their income, is hard to justify. The next day's *Daily Mail* headline, "Millionaires Should Still Get Child Benefit, Says Miliband," is a fair indication of Labour's difficulties. And Tory culture secretary Jeremy Hunt's pronouncement that "if people are living on benefits, then they make choices but they also have to have responsibility for those choices," explaining the government's plan to limit total benefits regardless of the number of children in a household, struck a note of right-wing populism that left Labour sounding like flat-footed defenders of an unpopular status quo.

What about the Liberal Democrats? you ask. The party's first conference in power in nearly a century saw former *Nation* intern Nick Clegg, now deputy prime minister in the coalition government, declare that his party had "no future" as "a receptacle for left-wing dissatisfaction with the Labour Party." Yet Liberals were happy to claim credit for postponing—hence making slightly less likely—a commitment to build a new generation of British nuclear-armed submarines. All fifty-seven of the party's MPs also signed a pledge to oppose any move to increase university tuition fees—a promise that in many cases lasted less than a month.

During the summer Ed Balls, another contender for the Labour leadership, made repeated, essentially Keynesian attacks on the Conservative-Liberal argument that immediate and drastic cuts in public spending were inevitable, leading some inside the party to hope that whichever Miliband ended up as leader would appoint Balls as shadow chancellor. But Ed Miliband, perhaps fearing a replay of the toxic rivalry between Tony Blair and his chancellor, Gordon Brown (or perhaps swayed by the fact that in the ballot of Labour MPs for a place in the shadow cabinet, Balls only finished third, fifty-three votes behind his wife, Yvette Cooper), opted instead for Alan Johnson, a Blairite veteran who'd been secretary of education under Blair and secretary of health and then head of the Home Office under Brown. Unlike Balls and Cooper (and Ed Miliband and David Cameron), who all studied politics, philosophy and economics at Oxford, Johnson ended his formal education at the age of 15, when he left school to stack shelves in a supermarket before becoming a postman at 18 and then slowly rising through the ranks of the Labour Party and the Communication Workers Union.

Orphaned at 12 and brought up by his older sister in public housing, Johnson is unlikely to see the government's attack on benefit recipients as a purely theoretical matter. And though he may lack academic credentials, he also comes without the baggage trailing anyone (like Balls—or Miliband, for that matter) who worked under Gordon Brown in the Treasury during New Labour's long love affair with the banking industry. Johnson wasted little time ripping into the opposition, calling the coalition's plans "more damaging than Thatcher" and pointing to Ireland, where repeated austerity budgets have strangled any economic recovery, as an illustration of the perils of "cutting too deep too soon."

But neither he nor anyone else in the Labour Party has offered more than reflexive opposition to cuts aimed at the most vulnerable, and that, however well intentioned, just isn't good enough. As long as Labour accepts the Tory-Liberal consensus that deep cuts are inevitable, and that the only territory up for debate is the speed or scale or "fairness" of the process, voters may well prefer the government's promise of a short, sharp shock to the prospect of prolonged torment under Labour.

Miliband's defenders point out that the government coalition can't be effectively countered by an opposition still riven by a decade of internal warfare. Healing his own party has to be Miliband's first priority, which is why his shadow cabinet—Labour's government-in-waiting—has so many MPs who voted for David instead of Ed.

The problem is that by the time Labour gets a chance to make its case to the voters, it may be too late. Because if Cameron's early moves are any indication, the Tory program goes far beyond mere austerity. Taking the child benefit away from the relatively well-off will indeed save money—about £1 billion a year. But the real point about the child benefit is that it, like the National Health Service, is universal—a part of the welfare state available to rich and poor alike. Turning universal benefits into services that cater only to the poor is the first step toward making them politically expendable (which might be why the right in the United States keeps trying to

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turn Social Security into a poverty program).

The tactic is to pick off the least defensible—or least popular—portions of the welfare state; the strategy is to slowly, stealthily dismantle the whole edifice. With their proposals to turn public schools into "free schools" detached from local government control (and in some cases turned over to private corporations) and allow hospitals to leave the NHS to become "not for profit" corporations (whose nonmedical services can then be contracted out to for-profit American corporations), a pattern begins to emerge in which the assets of the state are slowly but surely turned over to the private sector. The justification will be efficiency, not ideology, but the process is liable to prove irreversible. The latest announcement that the cap on university tuition fees will be removed, creating a market in higher education, fits this pattern—as does the Liberal-Democrat U-turn on what was one of the party's core policies.

Labour's biggest handicap in opposing such developments is its own record in government, when both Blair and Brown repeatedly turned to the private sector to build schools, clean hospitals, run railroads, design IT systems, detain undocumented immigrants and design and operate prisons. But the lack of a credible, compelling alternative to the Conservative-Liberal narrative of crisis and austerity is, in the long run, even more damaging.

The economic case against austerity is familiar—and not just because American liberals like Paul Krugman and Joseph Stiglitz keep making it with eloquence and precision. John Maynard Keynes may be a prophet without honor in his own country, but Martin Wolf, columnist for the *Financial Times*, card-carrying centrist and author of *Why Globalization Works*, has been just as forthright in pointing out that Britain's ratio of debt to GDP is below its historical average—and that whatever the politicians and the Murdoch press may say, the markets remain "remarkably relaxed" about Britain's deficits, with ten-year bonds yielding only about 3 percent. Wolf also discounts the suggestion that such calm is a credit to the government's commitment to austerity, noting that borrowing costs have fallen by only 0.2 percent since the election.

What's lacking is the political will—or to use a much abused word, ideology. David Cameron is clever enough to cloak his dismembering of the welfare state in his devotion to "the Big Society," a right-wing communitarianism that is easy to ridicule but that serves the purpose of insulating his government from the dog-eat-dog social Darwinism of Margaret Thatcher. Perhaps it's worth reminding ourselves that, economics aside, Keynes's appeal was chiefly as an alternative to Marx. Like the rest of the Western left, Labour has yet to construct a political narrative that acknowledges the role of individual aspiration and the market but that also addresses the desire for solidarity and shared purpose. It may be unfair to expect Ed Miliband, a young man who won't even celebrate his forty-first birthday until Christmas Eve, to square that circle. But until someone does, the Labour Party will continue to be defined by what it opposes rather than by what it offers.

D.D. GUTTENPLAN

D.D. Guttenplan writes from The Nation*'s London bureau.*

Postcard From Palestine

Hebron

COMMENT

The first thing you notice when you drive into Hebron is the lack of cars. Since 1997 this second-largest Palestinian city in the West Bank, the only one with an Israeli settlement in its midst, has been formally divided. Within the Israeli section, which takes up much of the historic downtown, Palestinians are not allowed to drive, so they walk or use donkey carts. When people are ill or injured, they are carried to the hospital. It is not surprising, therefore, that many of the 30,000 Palestinians who once lived here have moved out. According to a 2007 report from Israeli human rights organizations, more than 1,000 Palestinian housing units in the area have been left vacant, and more than 75 percent of the businesses in the central district have closed. A handful of shops remain open; a cluster or two of children play in the street. But that's it. The streets are buried under the heaviness of an ominous quiet. Periodically, buses rumble past bringing settlers to and from the adjoining settlement, Kiryat Arba, and Israel proper. In the absence of routine urban noise, their engines sound like gunshots.

I went to Israel and the West Bank with a group of American journalists on a trip sponsored by the New America Foundation. We were led through the streets of Hebron by Mikhael Manekin, a former Israel Defense Forces soldier who patrolled the city during the second intifada. He now runs an organization called Breaking the Silence, which collects testimony about IDF human rights abuses from Israeli soldiers. I had heard of Hebron, of course, but it was lodged vaguely in my mind as one of those foreign places where awful things happen. To see it in person is to understand viscerally that the status quo in the West Bank cannot hold. To see it is to understand just what occupation requires.

Because of the Cave of the Patriarchs—where Abraham is said to have buried his wife and was later laid to rest—Hebron is a very holy site for Jews and Muslims. Hebron's long history has been one of occupation and coexistence, punctuated by periods of slaughter. Romans, Crusaders and Ottomans have all ruled the city, sometimes denying access to the holy sites to disfavored groups. In 1929 Arab rioters killed sixty-seven of the small number of Jewish residents of the city (several hundred were saved by their Arab neighbors, who hid them in their homes), and the last Jewish resident left the city in 1948. In 1968, just a year after Israel occupied Hebron, Rabbi Moshe Levinger, a spiritual founder of the settler movement, traveled with a few students to the city for Passover. Once there, they refused to leave, extracting a concession from the Labor government at the time to settle them in the adjacent army base of Kiryat Arba, which today is a settlement of 7,200.

In 1979 ten women and forty children from Kiryat Arba sneaked into the abandoned Jewish hospital in downtown Hebron under cover of night and also refused to leave. Over the next fifteen years, they were joined by hundreds of other settlers—men, women and children—drawn from the most zealous, who came to inhabit the surrounding buildings.

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Over the past three decades, violence has been a mainstay. In 1980 Palestinians killed seven yeshiva students in the city center. In 1988 Levinger shot and killed a Palestinian store owner, pleaded guilty to negligent homicide and served thirteen weeks in prison. In 1994 Baruch Goldstein, from Kiryat Arba, entered the mosque at the Cave of the Patriarchs and murdered twenty-nine Muslim worshipers before he was overcome and killed. The IDF imposed near total curfews on area Palestinians.

Then, in 1997, as part of the Oslo peace process, security control over Hebron was divided. Palestinian Hebron, now home to some 170,000, fell under the jurisdiction of the Palestinian Authority and became known as H1. The section dominated by Israeli settlers remained under IDF control and became known as H2. There are 800 Israeli citizens who live in H2, with 500 IDF soldiers to guard them.

Within its jurisdiction, the IDF enforces a policy it calls "separation," which has a renewed urgency in the wake of the second intifada. A three-foot concrete barrier runs down the main street of the downtown, creating a small shoulder where Palestinians may walk; Israelis pass on the other side. A few blocks farther on, an Israeli soldier and a flag on a rooftop herald the beginning of the zone the army calls "fully sterilized," meaning no Palestinians. A young merchant hawking bracelets followed our group, entreating us to buy a souvenir. He stopped short, as if running into a glass wall, the moment we hit the outpost.

It felt as if we were walking through a postapocalyptic urban video game brought to life. The old Hebron gold market sat empty and trashed, every shop door was shuttered, graffiti was scrawled over much of the area. Eight Israeli soldiers with flak jackets and machine guns marched slowly past in formation, making their regular patrol through the deserted streets. A police car began to tail us, since Mikhael has been assaulted by settlers while leading people through the neighborhood.

In the courtyard outside the main settlers' apartment complex, a group of boys played soccer in a lot sandwiched between a large recycling bin half full of plastic bottles and a sign that read, in part: This land was stolen by Arabs following the murder of 67 Hebron Jews in 1929. We demand justice! Return our property to us! Women in head wraps and long skirts pushed strollers; men walked past with shopping bags. Though they live inside a heavily militarized garrison, they can walk the empty streets as if in a European pedestrian mall.

Around the corner, on Shuhada Street, are the last Palestinian holdouts in the neighborhood. They occupy second-floor apartments with balconies covered in metal braces and chicken wire. Because the street is closed to Palestinians, the residents of these caged apartments are not allowed to use their front doors; at those rare times when they leave to get provisions they must go out via the roof or makeshift doors.

As we reached the limits of H2, past graffiti of Stars of David and the slogan For every settlement evacuated, we will kill 100 Arabs, we arrived at an Israeli checkpoint, a small wooden shack manned by a few soldiers. Mikhael told us that as an Israeli, he couldn't go through but urged us to do so. As if passing through a magic portal, we emerged on the other side into the honking, bustling chaos of a living city: shops selling T-shirts and DVDs, shopkeepers smoking cigarettes and shouting to one another over the noise, commuters hailing cabs and pedestrians dodging snarled traffic. And then, back through the magic door and into the deathly silence of occupied Hebron.

There, while settlers routinely harass Palestinian residents and the tension sometimes erupts into violence, the IDF has succeeded in its immediate goal of avoiding large-scale bloodshed. This has come, however, at the cost of turning a holy city into a moral obscenity. One might be tempted to dismiss Hebron as unique, but Mikhael insists it's only a matter of degree rather than kind. "This is the same policy all over the West Bank," he says. "Separation, militarization, patrol roads. In rural areas it looks a lot nicer, but it's no different."

At a lunch earlier that day, a prominent member of the Yesha Council, the organizing body for the settler movement, told us his "conscience is clear" about Israeli settlement and the occupation of the West Bank. But after the tour of Hebron, our bus driver, who hadn't been to the West Bank since serving there in the 1967 war, looked at us as we boarded the bus and said, "As an Israeli, I am shocked."

Before long, Israelis may not have to travel to Hebron to see what full-spectrum urban occupation looks like. In recent years, the most ideological of the settler organizations have, with government help, stepped up efforts to "Judaize" East Jerusalem, to make it far more difficult to incorporate into a Palestinian state, should that day arrive.

Things are especially tense in the East Jerusalem neighborhood of Silwan, where settlers have purchased apartment complexes and number about 500, dotted among 60,000 Palestinians. In September a private Israeli security guard shot and killed a Palestinian father of five named Samer Sirhan. The guard claimed he was faced with a life-threatening ambush from which he had to shoot his way out, but witnesses and security camera footage contradicted his account. The police accepted the guard's version, and no charges were filed. Since then there's been an escalation of rock-throwing at the settlers, and settlers have called for a heavier police presence and more security. On the day we toured East Jerusalem, the head of the Silwan settlers, David Be'eri, ran over two Palestinian boys after his car was targeted by rock-throwers. Many people told us that if there is a third intifada, it will start in Silwan.

In the East Jerusalem neighborhood of Sheikh Jarrah, another settler group has used a few Ottoman-era land deeds and the power of the state to evict fifty-three Palestinians from their homes—which their families had moved to after being expelled in 1948 from their original homes in present-day Israel. The evictions have been denounced by everyone from Hillary Clinton to Israeli author David Grossman and have sparked a weekly protest that every Friday draws many Israelis to the only municipal park in East Jerusalem. But so far, despite legal appeals, the settlers remain in the houses.

There is a pointed irony in the settlers using pre-1948 deeds to make their case for occupying the homes in Sheikh Jarrah: it is usually Palestinians, demanding their right of return, who argue that pre-1948 deeds are legitimate. "From a Zionist perspective, it's suicide," activist and writer Didi Remez says about these settlers. "What they're trying to do is bring Hebron to Jerusalem." God help us if they succeed.

CHRISTOPHER HAYES

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Alexander Cockburn

Last Call for Jerry Brown

The first time I laid eyes on Jerry Brown was in College Park, Maryland. The newly elected governor of California had belatedly plunged into the race for the 1976 Democratic presidential nomination, in which Jimmy Carter was marked as the favorite. With the help of the Baltimore political machine built up by Nancy Pelosi's family, Brown stormed across Maryland. He was a good stump speaker, a refreshing contrast to Carter, with his earnest pledges about honesty and zero-based budgeting. Brown won the primary and went on to victories in California and Nevada.

Amid this bracing challenge to the peanut broker, I wended my way to Sacramento to view the governor in his local habitat. Whale song burst from loudspeakers in the street outside his office, in front of which was parked his demure official vehicle—a Plymouth Satellite. Stewart Brand, editor of the New Agers' bible *CoEvolution Quarterly*, was at his elbow as an adviser. Tom Hayden was on the line.

By the time of my late spring visit, California had already peaked as the Golden State. Ahead lay accelerating destruction or misuse of the state's natural assets, starting with water; the ruin of a marvelous system of public education; creation of a vast gulag (twenty-three prisons built since 1984); phalanxes of absurdly overpaid public employees; and paralysis of the legislature in Sacramento.

You can hang some of the blame around Brown's neck, though not the seeds of legislative paralysis. Finger Earl Warren for that one. It was Warren's Supreme Court that issued two decisions in the early 1960s—*Baker v. Carr* and *Reynolds v. Sims*—ruling that legislators should be apportioned on a "one-person, one-vote" basis. This required state legislatures to reconstitute themselves entirely by the measure of population. Rural counties lost their state senators. Los Angeles and San Francisco swelled in power. The reconstituted California Senate of forty—coupled with the two-thirds-majority requirement to pass the budget—permits a faction of fourteen senators to shut down the state once a year, and that is precisely what happens.

Nor can you blame Brown, who served as governor from 1975 to 1983, for the economic earthquakes that began in the late '70s, when defense and aerospace contracts started to slow (California had been getting one in every five Pentagon dollars during the cold war boom); by the late '80s as many as 2 million well-paid blue-collar workers and their families had quit Southern California.

The gulag is a different matter. Governor Brown didn't start the "lock 'em up forever" boom—but he hopped on to the moving train nimbly enough. In 1977 the legislature passed a new sentencing law, which Brown swiftly signed. It amended the state's penal code to declare that punishment, not rehabilitation, was now the goal. The law ended "indeterminate sentencing"—whereby convicts could win significantly shorter sentences by dint of good behavior, self-improvement as assessed by boards including guards and prisoners. Liberals thought this somewhat ad hoc procedure was inherently unfair. Enter, across ensuing years, mandatory completion of prison terms; shriveling of opportunities for convicts to improve themselves; virtual extinction of parole; and open-ended "civil commitment," with endless extensions of prison time. The result was a swelling population of cons, many of them now entering senility and the Alzheimer years, many of them nonviolent offenders, crammed into tiny cells or using beds stacked three tiers high in prison gyms, all maintained decade after decade at staggering public expense.

Among them are those incarcerated for life under the state's "three strikes" law, passed in 1994. In 2004 a state initiative to soften three strikes was set to pass handily until Brown, along with several other former California governors, did a last-minute ad blitz that reversed the poll numbers and defeated the proposition. Brown appears to have been the most enthusiastic participant; he flew to LA to do a series of ads with members of heavy metal groups, including Orgy.

Brown failed to fight the Prop 13 initiative effectively, though this prototypical Tea Party rebellion was probably unstoppable. When Prop 13 passed in 1978, the local governments that had already lost all power in the State Senate also lost any ability to raise money by increasing property taxes. Since then the only way to get dollars for education has been to go to Sacramento and beg or dream up another bond issue to place on the ballot. These bond issues can pass only with support from public employees—especially police, prison guards and firemen, uniting with teachers, nurses, etc.—and so the never-ending upward spiral of public employee salaries and pensions has no discernible limits.

By that time Brown had the damaging Governor Moonbeam label stuck on him by Mike Royko, though uncharacteristically this meanspirited Chicago columnist later apologized, just like Green Party punk rocker Jello Biafra later said he was wrong to call Brown a Nazi. It's hard to be absolute about Jerry, though his stint as mayor of Oakland was very unattractive. His tilt at Clinton in '92 was most enjoyable, not least for the fun I had with Andrew Kopkind interviewing Brown for *The Nation* and with Robert Pollin when we jointly defended Brown's flat-tax proposal in the *Wall Street Journal*, bringing down the wrath of the liberal nonprofit tax reform groups, which ardently defended the so-called "progressivity" of our existing tax code!

California's problems are well beyond the curative powers of any one governor. Brown's slogan in the mid-'70s was "We are entering an era of limits" (always excepting the prison population and the share of the very rich in the national income). So if he wins in November, there's no need to nourish foolish hopes. I guess it's Jerry's last hurrah. I give him a decorous cheer, if only as homage to the '70s, when politics were a lot more fun and more optimistic than they are now. ■

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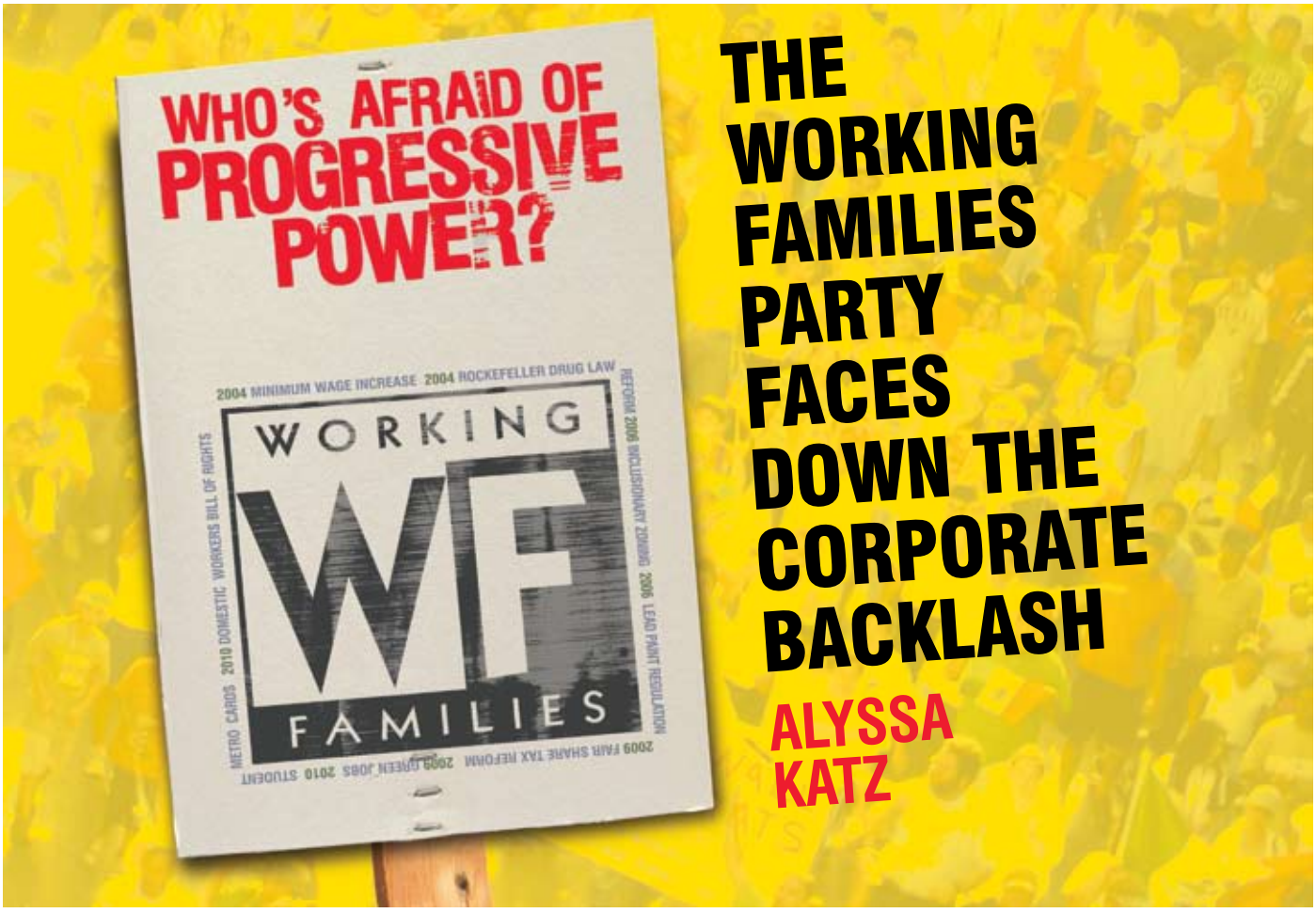

THE WORKING FAMILIES PARTY FACES DOWN THE CORPORATE BACKLASH

ALYSSA KATZ

New York's Democratic nominee for attorney general prevailed in a hotly contested primary this September in a way candidates aren't supposed to these days: by running to the left of his rivals. Under the banner of "economic fairness, social justice and real reform"—and reminding voters that he wrote last year's legislation undoing New York's wildly punitive Rockefeller drug laws—State Senator Eric Schneiderman edged out Kathleen Rice, a former homicide prosecutor.

Schneiderman won with a surge of votes in his native New York City, where at lunchtime on primary day he made his way to downtown Brooklyn, flanked by a pack of elected officials and volunteers. From Governor David Paterson and Congresswoman Yvette Clark to the young City Council aides handing out fliers, Schneiderman's campaigners had one thing in common: an affiliation with the Working Families Party, the most influential progressive force in the state.

Schneiderman came into office in 1998, the year the Working Families Party first secured a spot on New York ballots. Since then, the party has put progressive candidates in office and given the state legislature its first Democratic majority in generations through aggressive outreach to voters—and an unusual feature of New York elections. Under "fusion" voting, candidates in a general election can run as the nominee of more than one party, upending the usual dynamic of third-party politics that curses minor-party candidates with the Nader effect, in which a vote on their party line denies it to a major party nominee. In fusion states, third parties "cross-endorse" major-party candidates so that every vote counts. By tallying voters on their own ballot line, third parties influence turnout—and the agendas of the candidates they support.

Under normal circumstances, Schneiderman, an important Working Families Party ally, would have been a shoo-in for the party's early endorsement. But unlike in every other election he's run in, Schneiderman was not the party's nominee on primary day this year, and his campaigners took great pains to note that they were not there at the party's behest.

The shadow hanging over the race, and the Working Families Party itself, was cast by the current attorney general, Andrew Cuomo. In order to maintain its ballot line, the party needs to win at least 50,000 votes in the governor's race in November. To survive, it has hitched itself to Cuomo as its nominee.

In exchange for his support, Cuomo demanded that the Working Families Party hold off on endorsements for governor and attorney general until after the September primary. He then insisted that the party sign on to his entire policy agenda, which includes a property tax cap, a freeze on state budgets and worker pay, and a reversal of one of the party's signature successes—a tax hike on households earning more than $250,000 a year.

Cuomo was emboldened by a loose coalition of conservatives and business leaders deeply opposed to the Working Families

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agenda and threatened by the elevation of labor unions and progressive allies to such heights of influence. Opponents have mounted increasingly vicious attacks seeking to maim—or kill—the party. A federal investigation, subsequently withdrawn, and a lawsuit alleging campaign finance violations in the party's canvassing operation forced the party to divert funds and energy to the cause of defending its existence.

The voice of opponents has been amplified by hostile media. The editorial page of the *Daily News* called the possibility of the party's demise a "pleasing prospect"—pleasing, certainly, to owner and Boston Properties CEO Mortimer Zuckerman, whose nemesis is building workers local 32BJ, a major player in the Working Families Party. The Rupert Murdoch–owned *New York Post* called Working Families a "squidlike party" "expert at growing tentacles to stay one step ahead of the law" and "a clearinghouse through which elected officials are bought and sold by New York's public-employee unions." The *Post* repeatedly called on Cuomo to renounce the party's "corrupt" ballot line.

As such, the party came to Cuomo with a weak hand.

Cuomo insisted that the party sign on to his entire agenda, including a property tax cap and a freeze on state budgets and worker pay.

Although the lawsuit and investigation proved frivolous, defending itself against the charges had drained the party's resources. Running its own third-party candidate would have come at too high a cost. Instead, as Dan Cantor, the party's executive director, explained in a statement announcing the Cuomo endorsement, "We will be fighting for his electoral victory in November and then fight for legislative passage of his New NY Agenda in January," adding that the executive committee "unanimously" agreed to this decision.

Cuomo's downsize-government agenda was a bitter pill for the Working Families Party to swallow. Now that Cuomo is carrying the party line, leaders have to convince constituents that the party is not an accomplice to a rush to the right for New York. Once in office, he will be under constant pressure from the right to keep Working Families in line. The political action committee New Yorkers for Growth, led by state GOP chief Ed Cox, responded to the Working Families endorsement with a Shepard Fairey–style mash-up depicting Cuomo as Che Guevara. The big money in New York State politics—from real estate and Wall Street—is backing Cuomo against Tea Partyer Carl Paladino and expects to be taken care of in return.

In order to get Cuomo on board again in 2014, Working Families will have to spend the next four years showing deference—at least publicly—on issues it once would have pushed aggressively from the left. The party that just this spring declared it would support only those candidates who pledge to tax Wall Street bonuses will have to soften one of the main planks of its agenda—the pursuit of economic justice—in a state that is home to some of the nation's wealthiest people and a large concentration of its poorest.

Which raises the question: why have a progressive party if it isn't free to be, well, progressive? "It's hard not to compromise your principles," observes a consultant close to the party. "The history of the party is one of expedient political decisions along the way for institutional reasons. It's understandable, but how much is too much? At what point have you lost your way?"

The answer to these questions has implications far beyond New York's borders. In November voters in six fusion states—Connecticut, Oregon, Delaware, South Carolina and Vermont, in addition to New York—will have the opportunity to vote for Working Families candidates in state and federal elections. In Connecticut Dan Malloy is running for governor as a Working Families candidate, as is Senate candidate Richard Blumenthal—both could receive a crucial edge in tight races against Republican opponents. Although the party doesn't yet have the critical mass outside New York to move legislation—it just got on the ballot in Oregon and Connecticut in 2008—it is already using its canvasses and campaigns to bring urgent proposals into the mix, including the creation of a state bank in Oregon that would handle taxpayers' money in a public trust. A bill that would mandate paid sick days for workers has come close to passing in Connecticut, provoking sharp attacks from employer lobbyists.

The party's influence remains most pronounced in New York, where it not only elects statewide candidates but has filled the seats of state and local legislatures with progressive, party-endorsed candidates. One of them is Gustavo Rivera, who scored a historic upset against an entrenched and corrupt incumbent to win the Democratic nomination for a Bronx State Senate seat. Rivera won with the help of volunteers like Patrick Cousins, a member of Stagehands Local 52, who decided to take three weeks off to volunteer for Rivera and Schneiderman.

"Phone-banking, handing out tons of literature, standing by the subway station every day, watching the polls today at 5 AM," Cousins recounts the nonstop activity. "My kids are grown, so now it's time to give back." In the Bronx, unknown Rivera took nearly two-thirds of the vote, trouncing State Senator Pedro Espada, who helped stage a 2008 coup that briefly brought Republicans back to power in Albany. Working Families canvassers had knocked three and even four times on every Democrat's door in the district that they could. While Espada handed out school supplies to court voters, Working Families canvassers appealed to voters' hunger for values and results.

"What issues are important to you?" canvasser Mike Staab asks 92-year-old Mildred Kaminsky, a resident of the union-built Amalgamated co-ops. "Jobs," she replies, as her

Alyssa Katz, a senior fellow at the Pratt Center for Community Development, teaches journalism at New York University. Research assistance by Roz Hunter.

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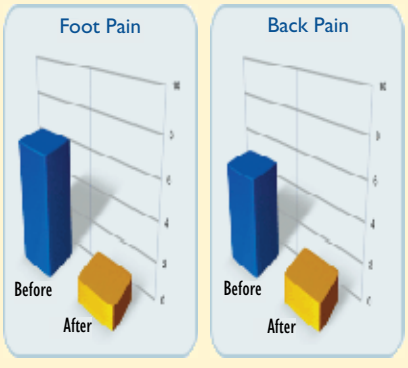

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home health aide looks on. "I couldn't agree more," continues Staab, a recent NYU graduate. "Gustavo Rivera wants to make sure that jobs pay a fair wage."

This isn't just talk. Assuming he wins in November, Rivera will become part of a progressive Democratic coalition in the once impassably Republican State Senate. That bloc has passed formerly unimaginable measures, including a minimum-wage hike, a bill of rights for nannies and housekeepers, a moratorium on destructive natural gas drilling and a cap-and-trade fund devoted to creating well-compensated green jobs.

In these battles, the Working Families Party has proved adept at exploiting division and instability as openings to push progressive legislation, and at out-thinking and out-organizing its opponents. One winning bill created a green jobs fund that will weatherize homes statewide. A second provides for utility-bill payment for energy efficiency retrofits. Both stemmed from the work of the Center for Working Families, an independent research group that was founded by the Working Families Party. Operating in the mold of ALEC, the conservative state legislation machine, the center provided extensive supporting research and legislative development for the green bills, and continues to help shape the programs.

The Domestic Workers Bill of Rights, which establishes a standard workweek and rights to paid overtime, grew out of a long-running campaign from Domestic Workers United, a tiny New York City group founded by nannies and housekeepers tired of mistreatment. The Working Families Party often teams up with other advocacy groups for legislative campaigns, to mutual benefit. "We were novices, and we've learned a lot from them about how Albany works," says Domestic Workers executive director Priscilla Gonzalez. In the end, Working Families and the domestic workers could only push the legislature so far. None of the economic benefits in the original bill—including paid sick days, holidays and vacation—made their way into the final version. Nonetheless, on a small scale, the workers experienced the party's larger challenge as it strives to advance a broadly balanced economy through means like progressive taxation, strong social programs, tenant laws and wage standards.

To see continued success, the party will have to add more loyal partners like Rivera, who help the party build influence and momentum. The New York Working Families ballot line, currently row E, induces candidates to support an agenda in line with that of the labor unions and progressive groups that lead the party. Running on the line signals to liberal voters that a candidate is committed to their values and issues. "They are the Good Housekeeping Seal of Approval for progressive Democrats, and they've earned that," says New York City public advocate Bill de Blasio, who won his seat—and with it a shot at the mayor's office—with the help of the party's skilled and disciplined canvassing operation. He was part of a push last year that brought the number of Working Families–nominated candidates on the City Council to a record thirty-six out of fifty-one seats, as well as the comptroller's office.

The stunning success of Working Families Party–endorsed candidates in last year's New York City primary elections took even party leaders by surprise. "In retrospect, if you have good candidates and good ideas and a hard-working campaign, that's a pretty good combination. We had superior campaigns with superior programs, and that's a winning formula," says Cantor. In legislatures, he sees a unique power to put government to work in the public interest. "Nearly everything progressive in New York City and State began as a legislative initiative. They're closer to the base, more accessible, more accountable."

The party's success has brought an inevitable backlash, an uncomfortable echo of last year's conservative war on ACORN.

Although the New York City Council has long leaned liberal, the state legislature, which includes heavily Republican districts upstate and on Long Island, has, until now, been a very different story. More than simply filling seats in the State Capitol with its allies, the Working Families Party has measurably transformed how Albany understands New York's balance of power. For years, state leaders have pitted upstate interests against those of the city—for example, feeding small towns' prison economies with drug war inmates from the Bronx and Brooklyn. Instead, Working Families is advancing economic justice wrapped in a vision of shared destiny that unites Manhattan—home to the nation's highest income inequality—with withering upstate. To obtain a Working Families Party endorsement for state races this year, candidates had to respond to a sixty-five-item questionnaire and support the Working Families proposal to tax Wall Street bonuses and million-dollar-plus earners.

The success built on such uncompromising demands has brought an inevitable backlash. The wave of attacks bring uncomfortable echoes of last year's war on ACORN. In fact, we're watching a sequel. ACORN was a Working Families Party founder, and its organizing tactics have driven the party's success. Both groups embrace strategic grassroots advocacy on behalf of poor people and immigrants, and focus on electoral empowerment to move progressive policy. Remember that it was ACORN's voter registration drives, targeted at disenfranchised black and Latino citizens in red states, that put the group on conservatives' hit lists. "When you are opposing corporate America, big business, big politics, big moneyed interests and a lot of special interests, you will be attacked," says ACORN CEO Bertha Lewis, a longtime Working Families Party leader.

The alliance between ACORN organizers and the Working Families Party helped secure the party's impressive victories in Albany, starting with a 2005 minimum-wage hike. ACORN turned out its members for rallies that put the heat on state legislators, who had to answer to crowds chanting "$5.15 is not enough." But by early 2009 the anti-ACORN attack machine had zeroed in on the Working Families Party. "Media coverage of ACORN and that organization's illegal activities in

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New York, California and elsewhere has largely ignored one of ACORN's most successful projects; New York's Working Families Party," Republican strategist Roger Stone wrote on Andrew Breitbart's Big Government website. Working Families, Stone asserted, is a "criminal enterprise" and a "wholly owned subsidiary of ACORN."

Along with those lies, Stone dropped a clue to the real root of the backlash: "Since the major parties no longer have the man power to organize an effective voter canvas [*sic*], Democrats have turned to the WFP for their door to door campaign activities."

Working Families' power over the Democratic Party is exactly what scares New York's business elite—that the Democrats, once reliably centrist and business-friendly on taxes and social policy, now answer only to their left-wing opposition. "There's no question that both the Democratic and Republican parties of New York have ceded their position of pre-eminence to the Working Families Party," says Kathryn Wylde, CEO of Partnership for New York City, an association of business leaders. "Neither Democrats nor Republicans have had control over policy that the Working Families Party has had by being focused, persistent, communicating effectively about who they are and what they stand for. As a result, a relative fringe element is controlling a big part of the political and policy dialogue."

New York's real estate industry is particularly vulnerable. The party backs stronger rent regulations, and with affiliated unions it has advocated living-wage standards for real estate projects receiving government subsidies. Last year members of the Real Estate Board of New York poured nearly $700,000 into the rival Independence Party—Mayor Michael Bloomberg's vehicle for snaring liberal voters when he ran as a Republican—to bankroll opponents to Working Families City Council candidates. All the Independence Party candidates lost.

The Independence money was no match for the Working Families Party's canvassing operation, which compiles lists of likely voters and sends campaign workers to their doorsteps to promote issues and candidates. Run via a company called Data and Field Services, the canvass is both the party's most powerful tool and its deepest vulnerability. As the Independence-backed electoral campaigns fell flat, opponents moved to attack the source of their defeat, and—following the anti-ACORN playbook—whip up a scent of scandal around the party's activities.

Last year, a series of articles in a local political newspaper suggested that Working Families might be undercharging Data and Field Services—in effect, circumventing New York City campaign finance rules that limit spending by candidates receiving public funds. Soon, the party faced a lawsuit and a federal probe into its finances.

Just before election day, Randy Mastro, a former deputy mayor to Rudolph Giuliani, filed suit in Staten Island on behalf of Republican Party loyalists, charging Data and Field Services with violating election laws. The lawsuit promised it would reveal "an audacious scheme to violate the law by using corporate subterfuge to hijack our local election process."

Nothing like that came to light, and it didn't have to—the intended damage was done. Data and Field Services owes more than $400,000 in legal bills—funds that will have to be squeezed out of billings to Working Families Party and

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its candidates. The party, meanwhile, still owes more than $100,000 for a report it commissioned from New York State's former chief judge, recommending management reforms.

Money is flowing out much faster than it is coming in. In the first six months of 2010, the Working Families Party spent about $380,000, nearly 40 percent of its expense budget, hiring Data and Field Services canvassers to engage voters on issues like election reform and the bank bailout, and to collect tiny donations. In sums of $5 and $35, they raised less than $250,000. Meanwhile, labor unions—the party's core source of funding—are seeing losses of members and dues payments in the economic downturn. The Center for Working Families has had to move to separate offices and cannot share administrative resources with the party.

Other states' Working Families Party organizations have taken the woes of New York's operation as a cautionary lesson but also, perversely, as inspiration. "There's only so long powerful interests will let you build power before fighting back," says Steve Hughes, state director (and the entire paid staff) for Oregon's Working Families Party, which is fielding its first candidates on a fusion ballot this year. "We're not used to having success in our camp. This is the kind of stuff that happens when you're successful."

In New York, the party must look ahead to a fresh, Cuomo-friendly way to advance its vision, which Cantor boils down to this: "We can actually use government power to improve people's lives. The right believes that's not possible, but they're wrong—we're right." On the state level, that means pressing legislators and agencies to invest in everything from energy-efficiency retrofits to public transportation, not only to create good jobs but to lower the cost of living and raise the quality of life for everyone.

The New York party has also begun to exercise influence in Washington. Earlier this year, it teamed up with its counterparts in other states and with MoveOn.org to press Congressional delegations to advance aggressive campaign finance reform in the wake of the *Citizens United* decision.

The party's growing role on the national stage means that the attacks against it from conservatives are hardly over and that the worst is likely yet to come.

"What we have learned in the last year and a half is that when you infringe even in the slightest fashion on the power and prerogatives of the corporate elite, they react very, very strongly," says Bob Master, a party founder and co-chair (in his day job, a political director for the Communications Workers of America). "The party emerged over the past several years as a real voice for equality and proconsumer regulation and curbing corporate excess. A number of oxen were gored. And we've got some pretty angry oxen on our hands." ■

Upton Sinclair's EPIC Campaign

His 1934 California gubernatorial run helped push the New Deal to the left.

by GREG MITCHELL

Nearly two years after a Democrat promising hope and change entered the White House, amid an economic crisis left behind by an unpopular Republican, unemployment remained at century-high levels. Despite vast expenditures on new stimulus programs, recovery seemed far off. Opponents in the GOP (and even some in the president's own party) called for cutting spending to reduce an exploding budget deficit. Democrats were split: was the president acting as boldly as possible—or was he not nearly bold enough? Pundits on the left who once gave him more than a fair break now accused him of dithering or caving in to "big business." Yet as a midterm election approached—one that might decide whether the president and his programs had much of a future—right-wing demagogues on the stump and in the media accused the White House of imposing socialism on America.

AP PHOTO

Upton Sinclair, 1934

The year was 1934; the president was Franklin Roosevelt. The economic crisis FDR faced was far worse than what President Obama confronts today, but many similarities exist. Among the major differences: the grassroots activism getting all the attention this year comes from the right, not the left. And that's one reason the outcome of the 2010 midterms will be quite different from the 1934 results, when Democrats gained seats in Congress, emboldening Roosevelt to propose landmark legislation establishing Social Security and other safety nets.

Of all the left-wing mass movements that year, Upton Sinclair's End Poverty in California (EPIC) crusade proved most influential, and not just in helping to push the New Deal to the left. The Sinclair threat—after he easily won the Democratic gubernatorial primary—so profoundly alarmed conservatives that it sparked the creation of the modern political campaign, with its reliance on hired guns, advertising and media tricks, national fundraising, attack ads on the screen and more. Profiling two of the creators of the anti-Sinclair campaign,

Greg Mitchell writes the Media Fix blog for TheNation.com. A new edition of his book The Campaign of the Century: Upton Sinclair's Race for Governor of California and the Birth of Media Politics, *winner of the Goldsmith Book Prize, has just been published by PoliPoint Press (p3books.com/shop/the-campaign-of-the-century/).*

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Carey McWilliams would later call this (in *The Nation*) "a new era in American politics—government by public relations." It also provoked Hollywood's first all-out plunge into politics, which, in turn, inspired the leftward tilt in the movie colony that endures to this day.

Back in the autumn of 1934, political analysts, financial columnists and White House aides for once agreed: Sinclair's victory in the primary marked the high tide of electoral radicalism in the United States. Left-wing novelist Theodore Dreiser wrote a piece for *Esquire* declaring EPIC "the most impressive political phenomenon that America has yet produced." The *New York Times* called it "the first serious movement against the profit system in the United States."

Sinclair lost in November, but the inspiring success of his mass movement—among other things, it basically created the liberal wing of the state's Democratic Party, which also endures to this day—and its powerful influence on a wavering new president deserves close study. And where are the EPIC-style mass movements today?

A lesson for today? Mobilizing grassroots support usually produces positive results, even if it's not certain immediately.

Nearly three decades after his classic novel *The Jungle* (1906) exposed dangerous and abusive conditions in the meatpacking industry, Sinclair decided, "You have written enough. What the world needs is a deed." Sinclair, who had moved to California in 1916, had written dozens of influential books while finding time to spark numerous civil liberties and literary controversies, get arrested and become perhaps the best-known American leftist abroad.

He had twice run for governor of California on the Socialist line, to little avail, but the election of FDR in 1932 encouraged him to give the Democrats a whirl. While he backed the New Deal, he saw that it did not go nearly far enough. Hugh Johnson, who ran Roosevelt's National Recovery Administration, had allowed big business to subvert its codes, and a national textile strike loomed. Nearly one in four people was on relief in New York, with the numbers only slightly better in many other large cities. Adequate relief payments and some form of social security were promised but still unrealized.

So the country's best-known member of the Socialist Party switched his affiliation to Democrat and used his pen one more time, writing and self-publishing a sixty-four-page pamphlet, *I, Governor of California and How I Ended Poverty*. Then he set out to make his fantasy true.

Although Sinclair could draw thousands of votes on name recognition alone, he considered a grassroots movement his greatest hope. Thousands quickly rallied to his cause, organizing End Poverty League clubs across the state.

Note to Obama: a detailed, step-by-step plan—"a way out," as Sinclair put it—and a steely will help. Recall the absurd limits and confusion of the Obama healthcare bill and then consider this promise: "End Poverty in California." It doesn't obfuscate, qualify or compromise (at least in advance). And it doesn't include an addendum, "if only we had the money or GOP support."

Sinclair, in a nutshell, outlined a classic production-for-use plan, where all of the unemployed would be put to work in shuttered factories or on unused farms, with goods traded, providing necessities. No one would go hungry or homeless. The elderly and infirm would get relief or pensions. Co-ops would receive state aid. Another plank in the platform: open up discarded studio lots and help out-of-work movie people make their own films. Naturally, this caused most of the Hollywood studio chiefs to threaten to move their operations to Florida.

Many who sympathized with Sinclair—including his friend McWilliams, the young California writer and future *Nation* editor—found some devil in the details, but the candidate promised to junk what didn't or couldn't work.

A pen his only weapon, Sinclair led an army of crazed utopians, unemployed laborers, Dust Bowl refugees and all-purpose lefties to take on "the vested interests." He noted, "Our opponents have told you that all of this is socialism and communism. We are not the least worried." *I, Governor* became the bestselling book in the state. EPIC clubs kept popping up like mushrooms, funded largely by bake sales, rodeos and rallies; and a weekly newspaper, the *EPIC News*, reached a circulation of nearly 1 million by primary day in August 1934.

Sinclair swept the Democratic primary. Dozens of EPIC candidates also won races for the party's nod for the State Senate and Assembly, including Augustus Hawkins and Jerry Voorhis, both future Congressmen. "It is a spontaneous movement which has spread all over the state by the unpaid labor of tens of thousands of devoted workers," Sinclair noted. "They were called amateurs but they have put all the professional politicians on the shelf." All that stood between EPIC and the governor's mansion was a hapless GOP hack named Frank "Old Baldy" Merriam, who had become governor after the death of "Sunny Jim" Rolph.

Where did FDR stand? A few days after winning the primary, Sinclair took a train east to meet with the president at Hyde Park, under the glare of national press coverage. The White House was torn. Sinclair was a true radical and a loose cannon. Roosevelt and his political director, Jim Farley, feared that the president, already accused by the right of being a socialist—led by Father Coughlin, the Glenn Beck or Rush Limbaugh of his day—could not afford this taint. Those tilting to the left, such as Eleanor Roosevelt and Harry Hopkins, were far more enthusiastic about EPIC. And then there was the rather significant matter of Sinclair being the party's nominee in a year when controlling a major statehouse was vitally important. FDR believed the greatest challenge for the head of a democracy was not to fend off reactionaries but to reconcile and unite progressives.

During the Hyde Park meeting FDR suggested that "experiments" within the overall New Deal framework could be valuable. Sinclair was elated, but the president held off any public endorsement.

Meanwhile, EPIC organizing surged in California. The

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number of local chapters was now more than 800, and circulation of the *EPIC News* reportedly hit a staggering 2 million. Black precincts that had reliably voted Republican (the legacy of Lincoln) now split down the middle. Even a few Hollywood screenwriters, such as Dorothy Parker, who normally kept their politics under wraps in the right-wing movie colony, spoke out for Sinclair. So did Charlie Chaplin.

But "the vested interests" organized the most lavish and creative dirty-tricks campaign ever seen—one that was to become a landmark in American politics. There's far too much to describe in this limited space (it's the focus of my book *The Campaign of the Century*), but it involved turning over a major campaign to outside advertising, publicity, media and fundraising consultants for the first time. What was left of the official GOP campaign was chaired by a local district attorney named Earl Warren.

California's newspapers, led by William Randolph Hearst and Harry Chandler, covered only Merriam's activities, while mocking Sinclair day after day with quotes from books and novels taken out of context. (Chandler's *Los Angeles Times* referred to Sinclair's "maggot-like horde" of supporters.) Hollywood moguls, besides threatening the move to Florida, docked most employees a day's pay, giving the proceeds directly to Merriam's coffers. Millions of dollars to defeat Sinclair poured in from business interests across the country, all off the books. And then there were the attack ads (i.e., newsreels) shown in movie theaters around the state, created by the saintly film producer Irving Thalberg, causing near-riots in some places.

FDR, displaying an Obama-like tendency, waited, refusing to make a bold move to help Sinclair ward off the savagely unfair assaults. As a result, Sinclair fell behind in the polls—and then the president was advised to not endorse a probable loser. Farley sent an emissary to California to strike a deal with Merriam: if the GOP governor promised to back the New Deal down the road, the White House would remain silent on Sinclair.

The EPIC fervor continued right up to election day. Activists, looking at their numbers and energy, were certain their candidate would prevail. Sinclair, in fact, would receive almost 900,000 votes, twice the total ever for a Democrat in the state, but would still finish about 200,000 votes behind Merriam. Revealing the true strength of the grassroots movement, however, two dozen EPICs won election to the state legislature, including Hawkins and Culbert Olson.

The Nation concluded that Sinclair's defeat "shows what will happen to any radical who attempts to challenge the existing order through the medium of an old-party machine." Decades later, we might say that Barack Obama is no radical, but his reliance on the "old party" after taking the White House damaged, maybe even doomed, the chances of his presidency becoming a true instrument of change.

The legacy of the EPIC campaign? Merriam did embrace much of the New Deal, providing at least some fresh help for suffering Californians. Responding to the Hollywood moguls' outrages during the campaign, actors and writers turned left and feverishly bolstered their fledgling guilds.

On the national scene, Sinclair's strong showing encouraged Minnesota Governor Floyd Olson to predict an agrarian revolt that would bring down "the profit system," and five left-wing Congressmen called a conference to explore a third-party bid. Lewis Schwellenbach won a Senate contest in the Northwest on the End Poverty in Washington platform. The La Follettes and their Progressive Party pretty much took over Wisconsin, where a modern maverick, Senator Russ Feingold, faces a tough re-election fight this year.

Emboldened by the results of the midterm elections and Sinclair's strong showing, Harry Hopkins near the end of 1934 proposed a comprehensive program, dubbed End Poverty in America, which the *New York Times* said "differs from Mr. Sinclair's in detail, but not in principle." Along with other popular movements—from the Townsend Plan pension crusaders to Huey Long in Louisiana—EPIC exerted a leftward pressure on the New Deal, strongly influencing FDR's groundbreaking legislation on Social Security and public works. The "Second New Deal," which also included the Works Progress Administration and National Labor Relations Act, would be more prolabor and antibusiness than the first.

A lesson for today? Mobilizing to prove grassroots support for a "radical" option usually produces positive results, even if that's not certain immediately. It wasn't exactly an EPIC movement, but as Ari Berman shows in his new book *Herding Donkeys*, Howard Dean's 2004 race for president—and the once-mocked "fifty-state strategy" he carried out as Democratic Party chief two years later—led to Obama's election in 2008. Berman also points out that part of Obama's problem is that as president he has ignored much of his grassroots operation, until recently.

Revealing another typical result, the EPIC campaign split over whether to remain in the election business or align with the co-op movement and other groups outside the party system. When Sinclair returned to writing books, the End Poverty League and the *EPIC News* slowly declined, revealing the dangers of depending too much on one inspiring figure to lead a mass movement. Of course, we saw this years later with Jesse Jackson and the Rainbow Coalition, not to mention with Ross Perot and his "movement."

Still, a backlash against the GOP tactics in the '34 campaign helped push Culbert Olson to election in 1938 as the state's first Democratic governor in decades—defeating Merriam by 200,000 votes. Olson hired Sinclair's pal McWilliams to direct the state immigration and housing agency.

Many years after the Sinclair race, McWilliams remarked that he still came across EPIC cafes "in the most remote and inaccessible communities of California" and EPIC slogans "painted on rocks in the desert, carved on trees in the forest and scrawled on the walls of labor camps." While he questioned Sinclair's ability to govern, he hailed his "conviction that poverty was man-made, that you didn't need it."

This is perhaps the greatest message of the EPIC campaign, but are Democrats listening today in Washington? Lawrence Lessig has called for a "Neo-Progressive Movement" to emerge for the 2012 election and beyond, while others hope for a challenge to Obama from the left that year. The One Nation marchers who rallied in DC in October returned home vowing to get true progressives elected in November. But as the Sinclair cam-

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paign showed, the Republican reaction to a popular grassroots campaign would be truly frightening.

In his October 2 *New York Times* column, Bob Herbert, with a touch of anger, declared, "Election Day is approaching, but neither party cares to focus on the nightmare facing millions of Americans who have been laid low by unemployment, home foreclosures, personal bankruptcies, and jobs that offer only part-time work, lousy pay and absolutely no benefits.... Weirder still is that even Democrats who should know better are buying into this self-defeating austerity posture." Herbert concluded by calling on all of us to "take our cue from the best moments in American history, when the nation rolled up its sleeves and placed the interests of ordinary people at the top of its agenda."

Surely, the EPIC crusade of 1934 was one of those moments. But the eternal debate—work within or outside the two-party system?—continues, as well it should. ■

The BofA Mortgage Settlement Fiasco

The "biggest loan modification in American history" does little for defrauded homeowners.

by ALEX ULAM

Just as the American housing market was starting to recover from its worst battering since the Great Depression, a new scandal, an epidemic of flawed or fraudulent mortgage documents, threatens to send not just the housing market but the entire economy back into a tailspin. As we go to press, forty-nine state attorneys general have announced an investigation of the mortgage-servicing industry, in the wake of decisions by Bank of America, JPMorgan Chase, Ally Financial's GMAC and other banks to suspend some foreclosures, and amid demands by some lawmakers for a nationwide moratorium on all foreclosures.

CAITLIN DOVER

It's impossible to tell at this early stage how deep the new crisis extends, but as they begin their investigation, the attorneys general would do well to re-examine the deeply flawed 2008 agreement with Bank of America in resolving the Countrywide Financial scandal, the largest anti–predatory lending settlement in US history. If they do, maybe they'll get it right this time.

On October 6, 2008, a scant three weeks after Lehman Brothers filed for bankruptcy, with the financial crisis in full swing, California Attorney General Jerry Brown called a press conference in San Francisco. He announced that day, to great fanfare, "the biggest loan modification in American history." Brown joined Illinois Attorney General Lisa Madigan in leading negotiations for eleven states that had sued Countrywide, the largest mortgage lender in the country. He held up Countrywide, which had been acquired by Bank of America some months earlier, as a symbol of all that had gone wrong in the housing bubble.

"Countrywide exploited the American dream of homeownership," Brown said in announcing his lawsuit the previous June. He charged the lender with deceiving borrowers by misrepresenting loan terms, hiding scheduled payment increases and persuading people to sign up for loans they couldn't afford. "Countrywide was, in essence, a mass-production loan factory, producing ever increasing streams of debt without regard for borrowers," he said. "Californians...were ripped off by Countrywide's deceptive scheme."

When Madigan announced her state's lawsuit, she took to the stage with a single mother who'd lost her home after refinancing a fixed-rate loan with one from Countrywide featuring a ballooning adjustable rate. "Borrowers were in loans that they didn't understand, they couldn't afford and they couldn't get out of," Madigan said. "The failure of these loans is what has caused the foreclosure crisis here in Illinois and across our country. And the aim of today's lawsuit is to hold Countrywide accountable."

If all fifty states were to sign on to the settlement, Brown's office estimates (forty-four have so far), it would provide $8.68 billion in reduced payments and fee waivers to some 400,000 Countrywide borrowers struggling to stay in their homes. And a small Foreclosure Relief Fund of $150 million would provide direct payments to Countrywide borrowers who have already lost their homes to foreclosure. Various media called the settlement a "landmark," "a win for homeowners" and "the nation's most comprehensive mortgage-modification program," reporting that 8,000 homeowners in Ohio, 13,000 in Arizona, 57,000 in Florida and 120,000 in California would all "escape foreclosure" through major loan modifications. Relief Is in Sight, read one headline.

But two years later, many Countrywide borrowers facing foreclosure have not even been notified that they may qualify for the settlement. It has kept, at best, about 134,000 families in their homes, and most of these only temporarily. Countrywide and its parent company, Bank of America, have blocked many subprime borrowers from access to the best aspect of the deal—principal reduction—in favor of short-term fixes that could easily spell disaster down the road. The settlement is silent on the question of second liens—home equity loans—

Alex Ulam is a freelance writer who covers urban planning and real estate. Research support for this article was provided by the Investigative Fund at The Nation Institute.

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which have played such a significant part in the foreclosure crisis, jeopardizing the possibility of truly affordable modifications. And the biggest loophole of all? Bank of America has the right to foreclose on the victims of Countrywide's predation whenever its analysts determine—using an undisclosed formula—that it can recoup more money through foreclosure than by modifying the loan.

In fact, the settlement has functioned more as loss mitigation for BofA and investors in mortgage-backed securities than as recompense for victims of predatory lending, says Alan White, an associate professor of law at Valparaiso University and an expert on the subprime crisis. "You are not actually asking [Bank of America] to give up money," says White, who frequently testifies before Congress on mortgage issues. "You are asking them to do something that will make them more money or mitigate their losses. It is a weird way to have somebody pay for past misconduct."

"The state attorneys general have done far more than anyone else, and they were under tremendous pressure not to act," says William Black, an associate professor of economics and law at the University of Missouri, Kansas City, and a federal fraud investigator during the savings and loan scandal. "That said, the settlement does not go to the basic problem, which was fraud by Countrywide."

The settlement has functioned more as loss mitigation for BofA and investors than as recompense for victims of predatory lending.

The lawsuits described a vast "conspiracy" in which Countrywide provided financial incentives to large networks of brokers in exchange for their duping borrowers into taking out toxic loans. In violation of state law, brokers concealed or misrepresented the steep monthly payment increases borrowers faced when mortgage rates readjusted a year or two down the road.

For several years, the scam worked. Countrywide grew from originating $62 billion in loans in 2000 to more than $463 billion in 2006, while the lender's securities trading volume more than quintupled, from $647 billion in 2000 to $3.8 trillion in 2006. The company's CEO, the flashily dressed and permatanned Angelo Mozilo, became one of the highest-paid executives in the nation, with an influence on markets approaching that of Alan Greenspan.

The state lawsuits expose just how Countrywide built its sprawling empire. One common loan product that came under harsh criticism in the lawsuit was the hybrid adjustable rate mortgage, or ARM, in which mortgage rates were fixed for two to three years while borrowers made interest-only payments. Afterward borrowers got hit with "payment shock" when mortgage principal was added onto their monthly payments just as the starter interest rate converted to a variable rate that could shoot up to as high as 15 percent.

Brown's lawsuit charges that Countrywide's goal was to generate loans that paid the highest possible interest rate—not loans that offered the best deal for their customers. Low-income, first-time homebuyers became some of the best targets: the riskier the loan, the higher the interest rate. Countrywide packaged many of these loans into mortgage-backed securities and sold them to Wall Street for windfall profits. Securities comprising Countrywide loans were in turn used to structure collateralized debt obligations, or CDOs, the implosion of which almost brought down the US financial system. Risky Countrywide loans were linked to some of the most toxic CDOs. On July 24, 2007, when Mozilo announced in a call with Wall Street bankers that housing prices would collapse on a scale not seen since the Depression, widespread panic ensued. By the end of 2007, according to Countrywide's own estimates, a staggering 27 percent of the lender's subprime loans were delinquent.

Once disaster struck, a quick settlement with the state attorneys general, under which Countrywide accepted no guilt and faced little financial liability, was not such a bad deal for the company. The settlement required Countrywide to make only 50,000 loan modifications nationwide and did not set a dollar amount on how much these modifications had to save borrowers. Most of the loans covered by the settlement fell into one of two major types issued between 2004 and 2007, at the height of the housing boom. One was the notorious pay-option ARM, in which the loan balance increased each month for borrowers who made only the minimum payment. Countrywide absurdly classified these loans as "prime" products—even though many of them went to borrowers with very low credit scores—making it easier to sell them on the secondary market. The other was the subprime ARM, which had a fixed interest rate for a set period and then an adjustable rate for the remainder of the term.

To comply with the settlement, Bank of America set up the Countrywide National Homeownership Retention Program as a vehicle for providing relief. And the deal appeared, at first, to provide it. Eligible borrowers, according to Brown's analysis of the deal, may be considered for a range of modifications. Those with pay-option ARMs can reduce their outstanding balance to 95 percent of their home's current value, getting them out from under water. In addition, borrowers with subprime ARMs may qualify to pay interest for only ten years, get interest-rate reductions and even have their interest rate permanently capped at the introductory rate. But Countrywide has no obligation to offer these terms to any particular eligible borrower.

A key weapon in BofA's arsenal is something called a foreclosure avoidance budget, which gives the bank the option of foreclosing on homeowners whenever, in the judgment of the bank's analysts, more money can be recouped by foreclosing than by modifying the loan. Housing advocates speak with frustration of how BofA often refuses to grant modifications to eligible borrowers, based solely on the bank's analysis of its foreclosure avoidance budget. Yet bank officials have refused to make public how they calculate that budget. Lisa Sitkin,

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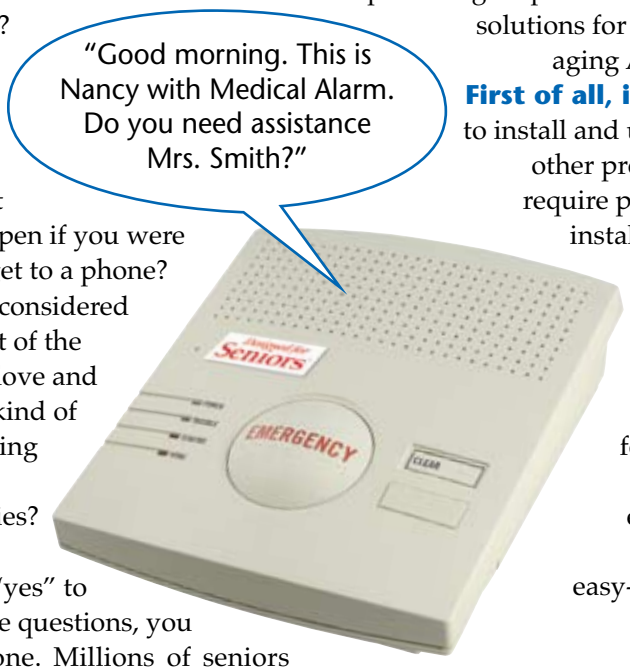

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a lawyer with Housing and Economic Rights Advocates, an Oakland-based nonprofit, says she repeatedly attempted to obtain that information from BofA. "One of the things we kept asking," she says, "is, Can we see those analyses? Can we see the foreclosure avoidance budget? The answer was always no." In the end, she simply gave up on using the Countrywide settlement as a means of helping borrowers. Even information on how many homeowners are facing foreclosure under the foreclosure avoidance budget is not publicly available. I requested these numbers from the California attorney general's office, which directed me to Bank of America, which refused to divulge the data.

Last January I interviewed Terry Francisco, Bank of America's senior vice president for public relations and communications, at a meeting between BofA executives and distraught homeowners in a church in Antioch, California, and he said something telling: "We don't call it a settlement, but our agreement with the attorneys general." Apparently BofA doesn't believe it owes anybody anything.

Despite Bank of America's failure to help hundreds of thousands of homeowners ruined by Countrywide, the bank claims it is on track to fulfill its obligations under the settlement. According to the one publicly available page of a quarterly compliance report the bank is required to file with the state attorneys general, as of the end of the second quarter of 2010, BofA had modified a total of 134,217 loans under the settlement, achieved an expected interest and principal savings for borrowers of $3.4 billion and provided $177.6 million in relief to people who had lost their homes to foreclosure.

The settlement's most fatal flaw may be its failure to cover second liens, a major factor in at least half the mortgages in danger of default.

These numbers look impressive, at first glance. But a September 2009 study by Citibank of the loans covered by the settlement projected that 50 percent of the modified loans are so untenable they will re-default within a year. The terms being offered are so bad that many lawyers are not bothering to seek relief, says Nathan Fransen, an attorney representing underwater borrowers northeast of Los Angeles. Fransen estimates that in the past three years he has worked with about 1,000 clients seeking modifications, half of them from Countrywide. He projects that for borrowers who get the five-year, interest-only payments, there is going to be major trouble down the line. "We haven't seen the effect yet," he says. "They took them out of one loan that was a ticking time bomb and put them into another loan with ticking time bomb features."

Bank of America officials concede that re-default is a major threat, projecting a rate of 20–30 percent. But they claim most of these defaults will be a product of growing unemployment, not unfair loan modifications. Housing counselors and attorneys tell a different story. They say the modifications BofA is offering under the settlement are not sustainable even for many borrowers with jobs. "As far as I know, none of our clients have gotten a modification under this program," says Sheri Powers, an attorney and director of the Unity Council, a nonprofit community development corporation based in Oakland. "The offers I have seen so far are basically a low-interest-only, fixed rate for five years, and then the loan converts to a principal and interest, which of course, depending on the total amount due, could be a huge jump in the person's total monthly payment."

As it turns out, BofA has had good reason not to make its modifications affordable for mortgages now owned by a third party, such as the public employee pension funds that invested heavily, and disastrously, in Countrywide's mortgage-backed securities. From 2004 to 2007, the years covered by the settlement, Countrywide sold most of its first-lien subprime loans as mortgage-backed securities or loan packages, but it generally kept the lucrative servicing contracts. BAC Home Loan Servicing (formerly Countrywide Home Loans Inc.), Countrywide's servicing arm, acts as a bill collector, gathering mortgage payments from borrowers and distributing these payments to the investors who actually own the mortgages. Servicers earn a small percentage of mortgage payments, but what has made the business especially profitable are late fees and other ancillary costs such as property inspections, collected from borrowers in delinquency and in default.

Those revenues will be lost through the settlement with the state attorneys general, which requires BofA to waive outstanding late fees for delinquent Countrywide borrowers who receive a modification. But BofA can start the lucrative late-fee gravy train all over for all the borrowers who re-default on modified loans—a staggering number, if the Citibank projections prove to be accurate. When these financially exhausted borrowers finally go into foreclosure, any outstanding late fees can be tacked onto the bill BofA submits to investors.

Only about 12 percent of the first-lien loans initiated by Countrywide remain on BofA's books. Investors in mortgage-backed securities, including major pension funds like CalPERS (the California Public Employees' Retirement System), own the other 88 percent, and it is these investors who will bear most of the expense of complying with the settlement, in the form of permanently reduced principal and interest payments on their bond holdings. Believe it or not, this aspect of the deal was overlooked by the settlement. Richard Blumenthal, attorney general of Connecticut, one of the original parties to the suit, seems to have missed it entirely, claiming in his October 2008 announcement, "This settlement will cost BofA as much as $8.6 billion, but no cost, not a dime, to taxpayers."

In fact, much of the settlement's cost has been covered by taxpayers. Bank of America is allowed to use federal incentives under President Obama's $75 billion Home Affordable Modification Program (HAMP) toward the loan modifications it is required to make as the mortgage servicer for the Countrywide portfolio. In total, of its entire Countrywide finan-

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cial servicing portfolio—which goes beyond the loans covered by the settlement—BofA is eligible for as much as $4.5 billion in federal incentives for completed modifications, according to an analysis by the Center for Public Integrity as reported in *Mother Jones*. That's a hefty government rebate.

There are indications that Bank of America's slow progress on loan modifications is intentional. Many service providers on the front lines of the crisis were unaware of the settlement more than a year after it took effect. Take Walter Dees, a team leader in the housing department of Clearpoint Credit Counseling, a HUD-approved counseling agency in Los Angeles. Of the hundreds of Countrywide borrowers he's tried to obtain loan modifications for, "not one of them has mentioned anything regarding the attorneys general modification," he says.

Why don't borrowers know about the settlement? If they received a notification letter like the one Bank of America officials gave me after weeks of prodding, they would have no clue they were one of the covered homeowners. Nowhere in the letter is there explicit mention of the settlement. There's no mention of borrowers' rights, such as waiving of late fees for those who qualify for modification. And the letter fails to mention the settlement's most attractive modification option: principal write-down, the only measure that could make a significant difference to borrowers who have seen the value of their homes decline by 50 percent or more.

Bank of America's opaque public outreach apparently passes muster with the California attorney general. An official in the AG's office who declined to be named told me the notification letter "is not necessarily going to reference the settlement." He went on to express concern about the plaintiffs themselves, the very people the settlement was designed to protect. "There is a moral hazard problem with all of this, which is that you don't want to encourage borrowers who can afford their loans to default, or borrowers who don't believe they were victims of fraud to default," he says. "So there is a fine line that had to be walked in figuring out how to publicize, announce and communicate with borrowers."

The settlement's most fatal flaw may be its failure to cover second liens. Bank of America still owns a large number of Countrywide's second liens outright, including its once popular Home Equity Lines of Credit (HELOCs). Today the bank is the largest holder of second-lien loans in the country, which are valued at $145 billion. (Second-lien loans, which are tacked onto the original first-lien mortgage, include home-equity loans used to finance everything from home improvements to hospitalization to coverage of 15–20 percent of the purchase price of a house.)

Brown alleges that Countrywide employees broke the same laws in selling those loans as they did in selling first liens. According to the California lawsuit, Countrywide loan officers "further[ed] their deceptive scheme" by "urging borrowers to encumber their homes up to 100% (or more) of the assessed value; and placing borrowers in 'piggyback' second mortgages in the form of higher interest HELOCs while obscuring their monthly payment obligations."

A settlement that covered second liens would have improved the prospects for victims of Countrywide's predations. Federal officials and mortgage analysts have identified second liens as a major factor in at least half the mortgages in danger of default. Such a loan works against borrowers in several ways. Not only does it stick them with a greater debt burden; it also stands in the way of principal reduction on the first mortgage, since a second lien must usually be wiped out before principal can be written down on the first loan.

The attorneys general seem to have left this gaping loophole for pure expediency. "We do allege misconduct related to the origination of second liens and HELOCs," says the California AG official. "However, for purposes of settling the case, we wanted to craft a settlement that, while not perfect, would have the most effective chance of saving homeowners as quickly as possible. We were in a situation where the housing crisis was expanding by the moment. They [Bank of America] could have dragged out the negotiations for two years, during which time innumerable residents of California and other states could have lost their homes to foreclosure."

Earlier this year Bank of America finally indicated some willingness to address the second-lien issue. On January 26 the bank announced to much positive press that it was the first servicer to sign up for a resuscitated federal effort known as the Second Lien Modification Program, which the Obama administration had been trying to get off the ground since spring 2009.

In March, facing additional legal action over Countrywide's predatory lending practices, Bank of America reached another settlement, this one with Massachusetts. Under that deal, the settlement Brown negotiated was expanded—Bank of America would now offer principal reductions to about 45,000 severely underwater Countrywide borrowers. Notably, BofA will offer these principal reductions only to borrowers who qualify for HAMP, under which the bank gets bailed out by taxpayers.

The Countrywide settlement, says Kevin Stein, associate director of the California Reinvestment Coalition, a statewide organization that advocates for low-income communities, has failed to protect homeowners who were the victims of predatory lending on an epidemic scale. "Fraud and predatory lending really created this crisis we are in, and nobody is taking that into account," says Stein. "That was a concern we had with the original settlement. They don't admit any fraud."

Now state attorneys general might finally have an opportunity to help the thousands of defrauded Countrywide borrowers who have fallen through the cracks. On October 8 Bank of America announced that it was temporarily suspending foreclosures in all fifty states in response to revelations of false or fraudulent documentation and at least one BofA "robo-signer" who approved thousands of foreclosure papers without proper review. Even so, BofA appears confident that it has done nothing wrong. "We will stop foreclosure sales until our assessment has been satisfactorily completed," states a BofA press release. "Our ongoing assessment shows the basis for our past foreclosure decisions is accurate. We continue to serve the interests of our customers, investors and communities. Providing solutions for distressed homeowners remains our primary focus."

It's up to the attorneys general, in their newly announced investigation, to hold BofA to its word. ■

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Letters

(continued from page 2)

in New York, because the state health department has determined that direct-to-consumer marketing of DNA tests is medical intervention and requires prior authorization from a physician. The state has sent cease-and-desist letters to companies like 23andMe and Navigenics, essentially denying such services to many New Yorkers. Mandating medical counseling before you can learn whether you have an increased genetic predisposition to male-pattern baldness or gout may increase the power of doctors, such as myself, but the result is substantially increased cost and decreased access for the lay public.

Professor Williams is right to highlight the abuses engaged in by some direct-to-consumer genomics companies. An "above average risk" for breast cancer is obviously not the same thing as "the high risk of pretty much getting it." But the solution to these concerns is to prevent such abuse, not to shut down the industry. Many people have legitimate reasons for wanting to know the details of their genetic code—whether to inform their lifestyle choices or simply to contribute additional data to the collective pool of knowledge, so the direct-to-consumer tests become more accurate. Surely, if my genetic makeup is one of the most important aspects of my identity, as Williams writes, I have a right to know what my DNA says and to use that knowledge as I see fit.

Jacob M. Appel, MD, JD
The Mount Sinai Hospital

Rigoberta Menchú Redux

Paris

Re Greg Grandin's "It Was Heaven That They Burned" [Sept. 27]: I rejected Grandin's preface for a new English-language edition of *I, Rigoberta Menchú* because he and the publisher, Verso, tried to impose it on me as a *fait accompli*. It was already in press when, by accident, the foreign-rights editor at Gallimard asked Verso to seek my approval. I have had too much experience with macho-Leninism to put up with this kind of behavior. I was also reacting to certain kinds of US academics who think they own the truth about Latin America and who play up a few aspects that suit their agenda, dismissing everything that does not fit. Unfortunately, imperial arrogance is not only a privilege of the right.

Elizabeth Burgos

Middlebury, Vt.

Greg Grandin claims to champion crucial details, but he blows past any detail that complicates his search for heroes and villains. What he describes as my "accusations" and "conjectures" are based on research that he has yet to refute. We can be sure that Rigoberta Menchú's father's land battle was with his K'iche' Maya in-laws because of their many warring petitions in government archives. Conceivably Vicente Menchú led a secret double life as a founder of the Committee for Campesino Unity. But after he died alongside five members of CUC at the Spanish Embassy, CUC's obituaries for its five martyrs did not include him.

Contrary to Grandin, two years later Rigoberta Menchú was agnostic on the source of the embassy fire because its sole survivor, the Spanish ambassador, attributed the fire to the protesters' Molotov cocktails. Grandin says Guatemalan guerrillas had no tradition of tactical suicide, but cyanide pills were standard on risky operations, as Daniel Wilkinson describes in his book *Silence on the Mountain*.

"Recent research has proved Stoll's thesis about Guatemala's revolution to be mostly wrong"—OK, where is it? As an ex-staffer of the Commission for Historical Clarification (CEH), Grandin is accustomed to quote 1999 CEH findings he apparently wrote himself while skipping CEH findings that echo my description of peasant neutralism.

Certainly there was social support for the guerrillas in some areas—you can read about it in my books—but little or none in others. It was anthropologist Carol Smith who documented that the 1970s were a period of modest material gains for many indigenous Guatemalans, not the deepening exploitation that a guerrilla narrative demands.

The guerrilla romance Grandin wishes to revive was in deep trouble, not just in Guatemala but all over Latin America, before I got into the act. I'm surprised Grandin considers me such an influential opponent because the book that he will have to refute is *Utopia Unarmed* by Jorge Castañeda.

David Stoll

Grandin Replies

Brooklyn, N.Y.

Elizabeth Burgos accuses me of presuming to "own the truth" regarding Rigoberta Menchú's memoir. But she literally does: in August 1982, Burgos, acting in Menchú's name, signed a contract with Gallimard making her the sole legal author of the book, discharging the publisher "from rights due" Menchú. Until 1993 Burgos shared the book's revenues with Menchú but then instructed Gallimard, according to a company representative, to stop paying Menchú and remit all future royalties to herself. Around this time the book began to take off as an international bestseller, so the proceeds from then on were considerable. I have always thought defenses of Menchú based on her vulnerable position as an indigenous woman came up short. Yet Burgos's arrangement is perverse: Menchú, having barely escaped unimaginable terror, got the opprobrium while Burgos, nestled comfortably between the Seine and the Luxembourg Gardens, got the cash.

Neither Verso nor I tried to "impose" my preface on Burgos, because neither of us knew she had exclusive power to vet all editions, in all languages. To justify this injustice, Burgos tends to present herself as Menchú's primary interlocutor in the creation of the memoir. I suspect that what rankles Burgos is that my essay, though generous to her interviewing method, reveals that the book was a collective endeavor, with others, notably Guatemalan historian Arturo Taracena, involved in its interviews, transcriptions and editing.

David Stoll accuses me of writing the CEH report. He is wrong. I left the CEH before it moved from the research to the writing stage. Its full report can be read at shr.aaas.org/guatemala/ceh/mds/spanish. Readers can decide if it supports Stoll's interpretation of the causes of the Guatemalan genocide. The truth commission was largely staffed by UN and other human rights careerists who had no particular sympathy for left-wing politics, yet they had no problem understanding that racism and poverty were the cause of the genocide and not, as Stoll insists through his deconstruction of Menchú's memoir, tit-for-tat reprisals between the military and the guerrillas. As to the cyanide pills guerrillas supposedly kept, surely Stoll can distinguish between taking one's life to avoid torture and what he accuses Menchú's father of: participating in an act of mass murder to create revolutionary martyrs—not to mention that civilians who died in the Spanish Embassy were not guerrillas.

Stoll shouldn't be so modest. He is influential enough. I've taught students who call Menchú a liar, and they cite Stoll as evidence. Even writers of minor reputations can make names for themselves by tearing others down.

Greg Grandin

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Books & the Arts.

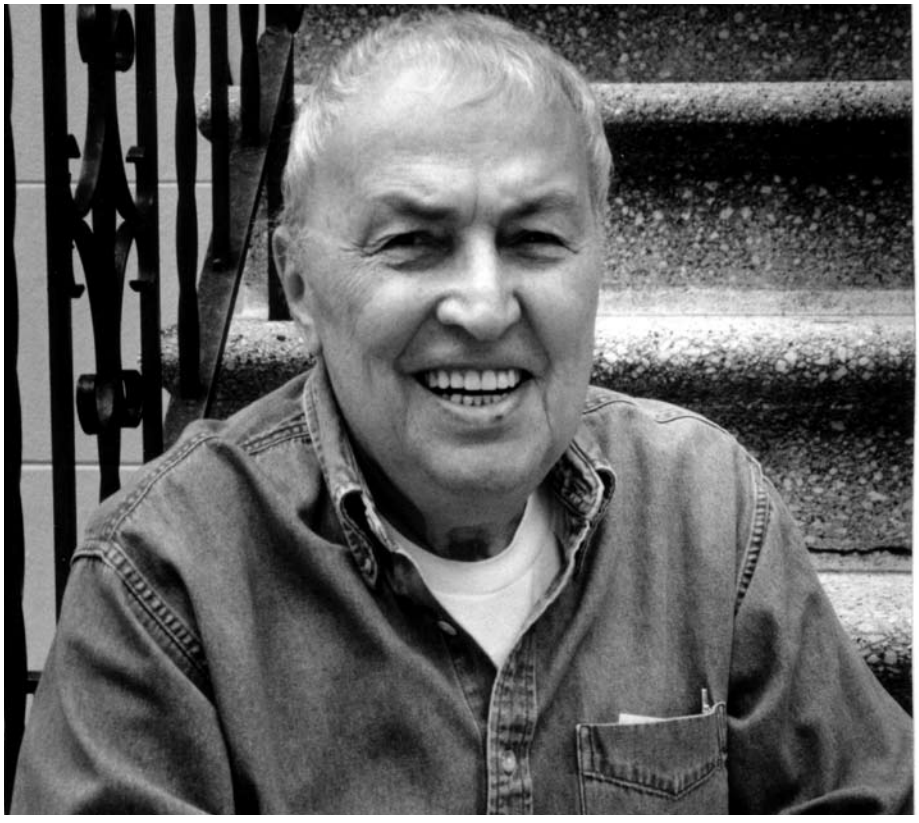
A Passionate Reader

by JOANNA SCOTT

We don't know much for sure about Kate, the narrator of David Markson's novel *Wittgenstein's Mistress*. She is, or believes herself to be, the last person left on earth. She makes brief references to her son, who died long ago. She used to be a painter, but she has traded her paintbrushes for a typewriter in an abandoned house on an unnamed beach. She knows that she is writing, but the days have begun to blur together in a haze of uncertainty. She can't remember her exact age or the length of time she's been alone. When she sets out to compile a list of places where she has lived over the years, she admits, "Doubtless I have lost track of a good deal of that by now." Even language proves a slippery medium. Quoting Wittgenstein without attribution, she reflects, "The world is everything that is the case," and then admits, "I have no idea what I mean by the sentence I have just typed." She has forgotten where she learned the things she thinks she knows and at one point asks, "What do any of us ever truly know?"

Yet for all her cautious qualifications, her backpedaling and existential waffling, Kate doesn't hesitate to make outrageous assertions. She says she sailed to Byzantium on her own and then drove across Siberia. She says she has taken up residence in museums around the world. When she was living in the Metropolitan Museum of Art, she left her own paintings standing between those hanging in the second-floor galleries. She also shot holes in the skylight in the Great Hall so the smoke from the fire she built with the museum's artifacts could escape. Oh, and she sprained her ankle falling down the stairs there and then had fun maneuvering a wheelchair "from the Buddhist and Hindu antiquities to the Byzantine, or whoosh!"

She doesn't hide the fact that she might not be the most reliable narrator. She discloses that she was out of her mind for "a certain period." She remembers wearing more than a dozen wristwatches at one time, along with several gold pocket watches on a cord around her neck. She admits, "It did run on, that madness." Hinting that her madness might continue to run on, she quotes Pascal: "Men are so necessarily mad, that not to be mad would amount to another form of madness."



JOHANNA MARKSON

David Markson (1927–2010)

Her form of madness is to say something about any subject that comes to her mind, from Vivaldi to Vermeer, Giotto to Picasso, Sophocles to baseball, and everything in between. The entire novel is made up of digressions prompted by abrupt associations. She doesn't pretend to have a plan in mind. ("Actually," she reflects at one point, "the story of Turner being lashed to the mast reminds me of something, even though I cannot remember what it reminds me of.") But the beautifully unnerving effect of this narrator is that she gives the impression that she is always moving forward. Whether she's mad or sane, she is an extremely effective guide—witty, enthusiastic, with a capacious curiosity. And as she remembers, or imagines, traveling around a deserted world, she gives a powerful sense of what we miss when we take our cultural treasures for granted.

In the hands of a lesser writer, a novel full of rambling ruminations could end up seeming arbitrary or arid. But Markson hits no false notes. The book is artfully constructed and emotionally convincing, and the narrator, alternately tentative and bold and always fascinating, emerges as a bewitching teacher. Through her, everything is revealed to be worth a closer look.

In the early 1980s, I spent a year working as an assistant at the Elaine Markson Literary Agency. Although Elaine and David had separated by then, Elaine continued to represent her former husband's work. As it happened, during the period that I worked at the agency, the manuscript of *Wittgenstein's Mistress* was being submitted to publishers. I remember opening the package containing Markson's manuscript, slipping out the latest

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Joanna Scott is a fiction writer. Among her many books are Arrogance, The Manikin *and, most recently,* Follow Me.

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rejection letter, putting in a new submission letter to a different editor and sending the manuscript back out. I'm not sure how many times I did this, though I know the effort continued without success for many months. By David Markson's account, the manuscript was rejected fifty-four times. When asked about the experience years later, he said with characteristic bluntness, "Some editors are not particularly bright."

Markson was an editor for Dell Books in the 1950s, but the work proved less than satisfying, and he set out to write a book of his own. He wrote *The Ballad of Dingus Magee*, a parodic western, and three crime novels with noirish plots and sharp, satiric edges. But then, as he'd later explain, he "got down to work more seriously." He'd already completed a master's in literature at Columbia, where he wrote his thesis on the fiction of Malcolm Lowry, and Lowry's influence can be felt in the novels Markson wrote during this period, especially in *Going Down*, with its Mexican setting and scenes of drunken confusion.

There is always a quality of gritty intensity in Markson's prose. His narrators tend to embed their strongest emotions in short, ironic comments. But when he started writing *Wittgenstein's Mistress* in the early 1980s, he began using single-line paragraphs that almost read like lists, creating an aphoristic style reminiscent of Wittgenstein's. And though in his earlier books he located the main drama in the interactions between characters, in *Wittgenstein's Mistress* he shifted his focus to create a portrait of a secluded individual. Suspense is generated not by action but by thought. The sparks fly when the narrator's consciousness is pushed to the edge of understanding.

Wittgenstein's Mistress, which was finally published by Dalkey Archive in 1988, marked a turning point in Markson's career. In the four books that followed—*Reader's Block* (1996), *This Is Not a Novel* (2001), *Vanishing Point* (2004) and *The Last Novel* (2007)—Markson honed a style that is even more jarring and seemingly random. Conventional syntax is often reversed, and sometimes portions of a sentence are left out altogether. At the same time, he toys with dropping certain basic fictional premises altogether. He maintains that he's not interested in plot. He communicates his frustration with the artifice of stories. He makes self-conscious comments about his role as author. But he continues to frame his comments as fiction. What he aims to write, he says, is "a novel of intellectual reference and allusion, so to speak minus much of a novel." The key word here is *novel*. The narrator might be frustrated with conventional elements of fiction, but he remains committed to the idea of it.

Given the similarities among these books, I can't resist reading them as a single gargantuan narrative that follows a fictional writer through his final years. Although he often refers to himself in the third person, as Reader, Writer, Author or Novelist, his predicament, method and voice are consistent throughout the sequence. From early in the first book, *Reader's Block*, when the narrator announces, "I am growing older. I have been in hospitals," to the final page of the appropriately titled *The Last Novel*, when the narrator identifies himself as "Old. Tired. Sick. Alone. Broke," his reflections are colored by his battle with illness. Unlike Kate in *Wittgenstein's Mistress*, who casts herself as the product of an apocalyptic catastrophe, the narrator of these four books is not worried about the end of the world. Rather, he is facing a much more personal and inevitable catastrophe. He is dying, and there's nothing he can do about it.

In This Essay

Wittgenstein's Mistress
Dalkey Archive. 248 pp. Paper $12.95.

Reader's Block
Dalkey Archive. 193 pp. Paper $12.95.

This Is Not a Novel
Counterpoint. 190 pp. Paper $14.95.

Vanishing Point
Shoemaker & Hoard. 191 pp. Paper $15.

The Last Novel
Shoemaker & Hoard. 190 pp. Paper $15.
All by David Markson.

Over the course of the books, Markson's narrator weighs life against death and death against art, testing the effects of time and the resilience of the human imagination. Beginning with *Reader's Block*, he explicitly considers the decisions he must make in order to get on with his book. In an attempt to sort through his options, he asks, "How much of Reader's own circumstances or past would he in fact give to Protagonist in such a novel?" Even as he's writing, he's considering the hypothetical novel he would like to write. He's both exhilarated and stymied by the freedom he has as a writer of fiction. Should he set his novel on a beach, he asks, or at the edge of a derelict cemetery? Should he write a book that is "Nonlinear? Discontinuous? Collage-like?"

In his dizzying search for meaning, his questions and reflections share an underlying urgency. He knows that he is running out of time. Having grown impatient with certain conventions of narrative, he's eager to get right to the point: by transforming his thoughts into a work of literary merit that will outlast his mortal self, he is going to defy the cancer that is threatening to silence him before he's ready.

Markson's ambition may best be exemplified in *This Is Not a Novel*, his playful, acerbic and powerfully moving antinovel. His narrator, Writer, begins by expressing his weariness with making up stories. He announces that he's going to attempt to write "a novel with no intimation of a story whatsoever." It will be plotless, characterless, actionless, even without a subject, "yet seducing the reader into turning pages nonetheless." What, then, is left? Plenty, including a protagonist, language, the world and all of history to consider.

The narrating Writer of *This Is Not a Novel* shares with the narrator of *Wittgenstein's Mistress* a desire to know as much as possible, and at the same time a skepticism about knowledge. In thinking about how history is recorded, for example, he considers that "much of what we have of Aristotle was not strictly speaking written by Aristotle at all. But would appear to be classroom notes taken down by others." He goes on to wonder about the chamber pots of Jane Austen and Bishop Berkeley, and whether Kierkegaard's father really had venereal disease. He wants to know what Hamlet is reading in Act II, Scene ii, when, in response to Polonius's inquiry, he replies, "Words, words, words."

Most of all, this ailing Writer wonders about death. He tells us, "Benny Goodman died of a heart attack while practicing Mozart," "Thomas Mann died of phlebitis," "Schopenhauer was found dead sitting at his breakfast" and "Marshall McLuhan died of a stroke." He tells us about the causes of death for countless other famous people. What he can't explain is how he will die, or when, or what it means to die, or what he will discover, if anything, about death when he dies. The great mystery hangs over the book, driving Writer to keep looking for clues among the ruins and riches of the cultural past.

The museums that sheltered Kate in *Wittgenstein's Mistress* have no roof or walls in *This Is Not a Novel*. The entire world is a museum, and in its permanent collection is…just about everything. The title invokes Magritte, who by declaring that a painting of a pipe is not a pipe reminds his audience to think about what's really there on the canvas. In *This Is Not*

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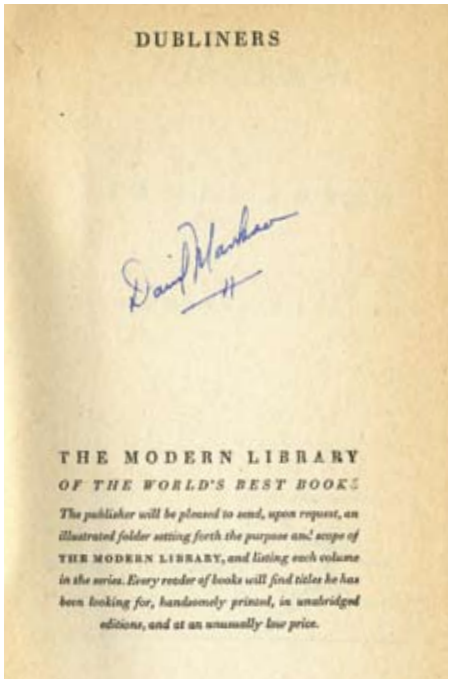
a Novel, Writer invites his reader to consider all the fascinating details of things that can be packed onto a page. Isn't it interesting, for instance, that "Beethoven was left-handed," that "Tennessee Williams choked to death on the plastic cap of a nasal spray"? Arranged with an emphatic beat that manages to highlight every line, these facts are among many that Writer has gathered in his explorations.

But Markson's method in these books doesn't just involve the collection of facts. Momentum remains as important as in his earlier work. As he abandons elements he considers distracting, he is still intent on "getting somewhere in spite of this." There will be a beginning, a middle and an end, he assures us—"even with a note of sadness at the end." He may be weary of inventing stories, but by arranging his discoveries in a sequence as he's doing, with carefully orchestrated echoes and returns, he is telling a story about one man's encounter with a world that he has experienced as entertaining, absurd, cruel, befuddling and ultimately so nourishing that the thought of leaving it is as unbearable as it is inevitable.

In *The Last Novel*, published by Shoemaker & Hoard three years before Markson was found dead in his apartment in Greenwich Village, the narrator signals with the title that the text we're reading, despite its load of facts, is fiction. He identifies himself as Novelist. As in the previous three books, the narrator is telling a story about his observations and interests. But whereas in *Reader's Block* the narrator is trying to figure out how to write a novel, here he announces that the book we're reading "is the last book Novelist is going to write."

Many of the concerns that surfaced in *Reader's Block* remain the same. The narrator continues to ponder information about the deaths of important figures, and he remains vexed by his own ill health. Old age is a recurring topic—"Dispraised, infirm, unfriended age. Sophocles calls it." He pays homage to artists and writers who were neglected or dismissed by their peers. His survey of the past includes quotes about the horrors of Hiroshima, the Holocaust, the Civil War. But still there is a persistent strain of whimsy in the selections, with insults and absurdities offered up in equal measure. He tells us that Heraclitus judged the sun to be "as wide as a man's foot." He tells us that an early *New York Times* review called Degas "repulsive." He quotes John Updike's definition of critics: "Pigs at the pastry cart." And all the while, he is telling us about the invention of the fictional narrative he is writing.

Markson's final books have an astonishing fluidity despite their staccato rhythm. But what really sets them apart is the complex portrait of the fictional writer who lies at their center. There's no one like him elsewhere in literature. He is an old man who is trying to figure out what his life adds up to. He makes some disclosures about his struggles and ambition, but mostly he reveals himself in his selections, his syntax, the arrangement of quotations. His personality is immediately discernible yet continues to develop as he keeps on with his encyclopedic efforts. He has a dependable cohesiveness yet keeps us guessing about what he will come up with next. He is as hilarious as he is melancholy. He is cranky yet easily delighted. He has been brutally treated by the world, yet he can't stop loving it. He's dying, but he's not ready to die. There's so much he doesn't know, so much he wants to remember and admire. Time is running out for him, and he's trying to understand who he is before he's gone altogether. He is fading before our eyes. And yet over the course of these four books, the narrator manages to emerge as one of contemporary fiction's most vivid and enthralling characters—a Reader, Author, Writer, Novelist—with an essential story to tell.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PRIVATE COLLECTION

David Markson's copy of *Dubliners*, by James Joyce

The past is full of examples of renegade writers who were overlooked in their time not only because their work didn't fit neatly into potted categories but also because they avoided the self-promotional efforts of their peers. Although Markson lived in New York City for many years, and his friends included Jack Kerouac, William Gaddis and Kurt Vonnegut, he kept a low profile in the literary world. Late in his life he received recognition in the form of an award from the American Academy of Arts and Letters, and he had many advocates among a wide range of fellow writers. David Foster Wallace called *Wittgenstein's Mistress* "a work of genius," and Ann Beattie described it as "original, beautiful, and an absolute masterpiece." But besides Amy Hempel's full and enthusiastic response to *Wittgenstein's Mistress* in *The New York Times Book Review*, critical attention was too often sparse and dismissive.

Markson composed a moving story about the struggles of a fictional writer who keeps working despite the indifference of the public. He may be old, tired, alone, broke and fatally sick at the end, but as long as he can discover other artists to admire, he doesn't lose heart. When he takes his final bow at the end of *The Last Novel*, he reminds himself, and us, "The old man who will not laugh is a fool."

Markson would be laughing now, I suspect, to see how his story has continued, and how the obscurity he experienced in life is transforming into something quite different after his death, thanks to a combination of his ingenuity, his methods and his generosity. Before he died, Markson directed that his personal library be sold back to the Strand, the used bookstore where he'd acquired most of his collection. He had inscribed his name on all his books and read with a pen in hand. A few lucky customers who happened to purchase books that Markson had owned discovered that they were filled with his fascinating annotations. Some of his comments have been posted online. Book collectors rushed to the Strand. On the *London Review of Books* blog, Alex Abramovich wrote in July about buying Markson's copies of Joyce, Balzac, Pater, Lao-tse, Tacitus and many others—twenty-seven books in all, for which he paid $262.81.

David Markson seems destined to become an increasingly important writer on the stage of late twentieth-century American literature. *Newsweek* recently described him as "one of the most pleasingly restrained and skillful" writers and "a postmodern giant." But he is even more than that: an artist of his time who has something to say to an audience beyond his time. How appropriate it is that his handwritten marginalia are spurring widespread interest, and that Markson is becoming known as a great writer because he was such a passionate reader. ■

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Old Vagabond

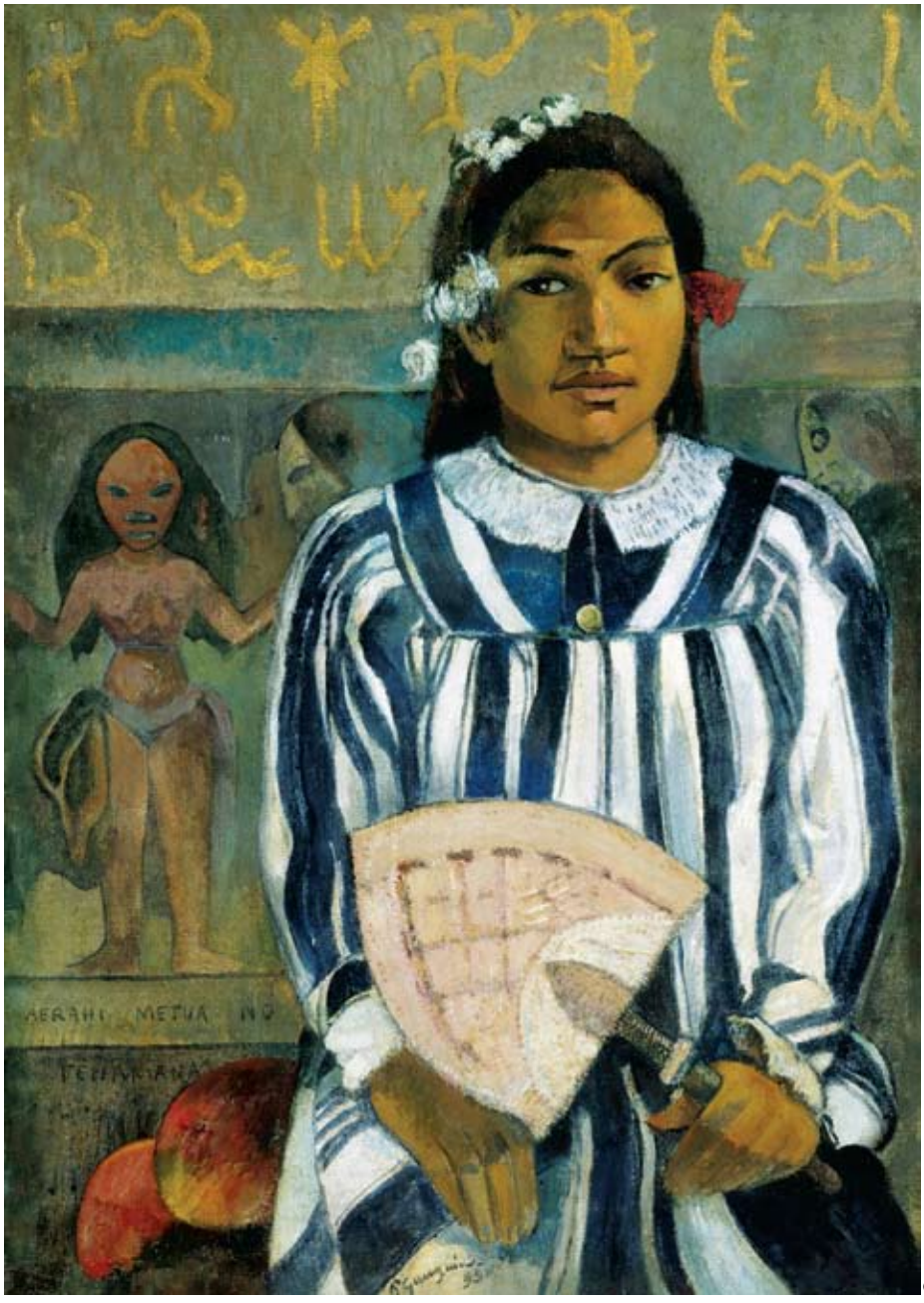
by BARRY SCHWABSKY

The Italian conceptual artist Alighiero Boetti, as his onetime protégé Francesco Clemente recalled, "considered that there was a big difference between people who moved north towards power, order, and control, and people who moved south, away from them." Boetti himself had moved from Turin, in Italy's industrial north, down to Rome, and then, for a while, to Kabul, Afghanistan. But historically, this southward vector has rarely been the one chosen by artists, whose profession magnetically draws them toward courts and capitals, patrons and potentates. Paul Gauguin was one of the first to take the opposite route, and he remains the most emblematic and radical of those who've tried to flee the world's metropolitan centers, submitting without resistance to what Charles Baudelaire had once diagnosed in his poem "Le Voyage" as the "*Singulière fortune où le but se déplace, Et n'étant nulle part, peut être n'importe où*," or, to turn French verse into English prose, the "singular fate of having a goal that keeps shifting, and being nowhere, might be anywhere."

The story is well enough known: Gauguin, grandson of a pioneer of socialist feminism, Flora Tristan, was born in Paris in the revolutionary year of 1848; he spent part of his childhood in Peru (where his grandmother had roots) and part in France, before spending much of his young manhood at sea as a merchant marine and then a naval sailor. He liked to think of his Peruvian forebears as Indians. "As you can see," he would later explain, "my life has always been very restless and uneven. In me, a great many mixtures. Coarse sailor. So be it. But there is also blue blood, or, to put it better, two kinds of blood, two races." Eventually, back in Paris, he became a stockbroker—and a successful one—but also a Sunday painter who was soon accomplished enough for his works to be accepted by the Salon; during this period he also began buying works by the most advanced painters of the time, among them Camille Pissarro, Paul Cézanne and Edgar Degas.

The crash of 1882 brought matters to a head. Gauguin abandoned the world of finance, now in tatters, for the full-time pursuit of art. His Danish wife, Mette, who hadn't bargained on having an artist for a husband, collected their five children and returned to Copenhagen. After a few months Gauguin followed her there, attempting to re-establish himself in business; but it took less than a year of that life to persuade him to return to France without Mette, though he kept in touch with her as a confidante for many years thereafter, addressing her, as he admitted, with "an adoration often full of bitterness." Finding Paris too expensive, he moved to Pont-Aven in Brittany, where his magnetic personality and pursuit of artistic independence helped make him *chef-d'école* to a group of young experimental painters. He became enamored of the landscape, saying, "I find a certain wildness and primitiveness here. When my clogs resound on this granite soil, I hear the dull, matte, powerful tone I am looking for in my painting." Likewise in the people of rural Brittany he found a primitive quality that appealed to him. "I try to put into these desolate figures the savageness I see in them," he wrote, "and that is also in me." But further travels were in the offing: wanting to reinvigorate himself "far from the company of men," he set off for Martinique and Panama. When his funds were depleted, he went to work on the digging of the new canal.

Returning to France, Gauguin was invited by Vincent van Gogh to Arles for the purpose of establishing a "Studio of the South." Their intense but intensely conflicted friendship brought them to the verge of violence; Gauguin fled to Paris, whereupon



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Tehamana Has Many Parents (1893), by Paul Gauguin

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van Gogh severed his own ear. Increasingly seeing himself as a "savage" discontented with the civilization that had formed him, Gauguin began dreaming up new travels and a "Studio of the Tropics," still in collaboration with van Gogh: the Far East? Madagascar? Eventually, after the Dutchman's suicide, Gauguin settled on Tahiti, where from 1891 to 1893 and again from 1895 to 1901 he made many of his most famous works but found himself even more at odds with the French colonial authorities than he had ever been with the customs of bourgeois life in Europe. Feeling that "there are landscapes still to be discovered—in short, completely new and wilder elements," he set sail for an even more isolated spot, Hiva Oa in the Marquesas Islands, where he remained until his death in 1903.

If Gauguin's fate was, in Baudelaire's word, *singulière*, all the more so is the tension between the incessant, restless movement of his life and the steadiness characteristic of his art. Yes, of course, as you move from painting to painting, from sculpture to woodcut, in the exhibition "Gauguin: Maker of Myth" (at the Tate Modern in London through January 16; then at the National Gallery of Art, Washington, February 27–June 5), you see his travels reflected in his imagery; you'll find depictions of Brittany, Martinique, Tahiti and the Marquesas in turn. But look at the paintings one by one and search out depictions of motion: you'll find few. More typical is a kind of uncanny stasis—not necessarily an equilibrium but a suspension of time, a caesura.

Consider even an early, still residually naturalistic painting whose subject would have lent itself to a sense of inner dynamism, *Breton Girls Dancing, Pont-Aven* (1888). What gives this work its atmosphere is the way the three girls embody an inexplicable stillness, like children playing at statues rather than enjoying "a Breton *gavotte* at haymaking time," as Gauguin explained the picture to Theo van Gogh, his dealer at the time. Or it's as if they were not taking the next step in the dance but waiting for it to happen to them. What seems strange—though for all I know this may be typical of Breton folk dancing—is that as they form a semicircle, hand in hand, the girls face not toward the center of the circle, and therefore toward one another, but outward, away from one another and, as it were, away from the dance. The choreography contributes powerfully to the painting's paradoxical feeling of stillness. Even as the girls engage in their joint recreation, each seems caught up in herself, almost unaware of the others, and therefore unmoved by the common rhythm that the dance, we imagine, ought to signify.

Actually, though, *Breton Girls Dancing, Pont-Aven* does not entirely freeze the motion it pretends to depict. There's one small detail that contradicts this suspension of movement. Look at the little dog to the right of the three girls; it's not scampering or chasing anything but just sniffing around, as dogs do, and yet the peculiar twist to its body lends it an air of carefree liveliness, of impulsive energy, that counterpoints the girls' calm solemnity. Once you've noticed this, you can't help seeing how often in his paintings Gauguin has invited the animals to wander in—deliciously observed dogs, chickens, horses, goats and pigs, not to mention the sly-faced symbolic fox of *The Loss of Virginity* (1890–91). They liven up the scenes in which human protagonists strike their hieratic poses. Even when the animals are shown as still, you feel they could move at any minute; even when the humans are shown in motion, they seem fixed in place. In the upper-left corner of the masterpiece of Gauguin's time in Brittany, *The Vision After the Sermon* (1888), there's a bull whose form so curiously echoes that of the fused wrestlers in the upper-right corner, Jacob and his angel, whom the peasant women of the painting see in their collective mind's eye. Here again, the two wrestlers locked in their struggle seem caught at a standstill, while the unconscious beast ambles by with an unaccountable vivacity. The reality/unreality of the women's vision of Jacob and the angel is like that of Degas's ballerinas in those paintings of his where we see the dancers over the heads of the audience or even the orchestra musicians. Gauguin had collected the elder artist's work when he was a successful stockbroker rather than a penniless painter—later Degas would return the compliment—and it was from him that Gauguin learned how to create off-angle compositions with seemingly arbitrary juxtapositions that nevertheless allow for a sense of classical solidity and poise.

Gauguin's propensity for compositional stasis, even when his subject matter seems to lend itself to the evocation of change and movement, reflects his urge to perceive something eternal within the momentary. If you want a more direct glimpse of the inner tumult that impelled him ceaselessly to seek ever more distant shores—"*le cerveau plein de flamme, Le coeur gros de rancune et de désirs amers*," in Baudelaire's words; that is, the brain aflame, the heart fat with rancor and bitter desires—you must look for his comparatively rare paintings of the sea, such as *Ondine/In the Waves* (1889) and *The Bark (La Barque)*, from 1896. Not only the swirling waters themselves but the off-balance figure, neither standing nor reclining, and the boat seen at an angle that makes it seem to be spinning in the storm—all declare the disequilibrium that drove Gauguin on, seeking primeval sources of grave and joyous harmonies. Unlike the wandering protagonists of Baudelaire's poem, Gauguin never truly traveled "*pour trouver du* nouveau," to find something new, but rather in search of the traces of something ancient and perhaps close to vanishing. His incessant journeying was finally not in search of a more pristine, remote, incompletely colonized corner of the earth; rather, as he'd already told his fellow painter Émile Bernard in 1889, well before his first visit to Tahiti, "What I desire is a corner of myself that is still unknown."

Paul Gauguin in 1889: 'What I desire is a corner of myself that is still unknown.'

Whatever hidden corners remained obscure to Gauguin by the time he died of syphilitic heart failure in 1903—and there must have been many, for one of his greatest talents had always been for the sort of happy self-deception that allows a man to persist in the hope of a breakthrough just around the corner (or in Gauguin's case, just on the next island a thousand miles away)—it is possible to feel one knows him too well, and better than he knew himself. He required the greatest possible distance from the civilization to which, after all, his paintings were addressed, but that civilization desired him to maintain his distance even more. A mythic being, he was already posthumous in his lifetime. In 1902, when he wrote to his great friend Daniel de Monfreid of a desire to return to France, he received a sobering but prophetic reply: "It is to be feared that your return would only derange the growing and slowly conceived ideas with which public opinion has surrounded you. Now you are that legendary artist, who, from out of the depths of Polynesia, sends forth his disconcerting and inimitable work—the definitive work of a man who has disappeared

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from the world.... You must not return. Now you are as the great dead. You have passed into the history of art."

Into the history of art, but also of literature, mass culture and various points in between. Surely I wasn't the only college student whose dorm room featured a poster of *Two Tahitian Women* (1899), the perfect pinup for moodily alienated intellectuals in bloom. Little as I knew about painting back then, I was right to have taped the poster up next to one of a work by Mark Rothko, a painter whose sometimes almost implausibly blended hues are direct descendants of Gauguin's. Still, is there any way to picture Gauguin to oneself except as played by Anthony Quinn? And for that matter, isn't the artist partly to blame for his rather embarrassing mythologization?

In the past, art historians often treated Gauguin's legend with disdain, as something essentially irrelevant to the art, suitable for treatment only by popularizers and novelists. Thus, for a long time the crux of historical research was the breakthrough year 1888, and especially the months in which Gauguin worked alongside van Gogh in Arles. Although their time together offers plenty of material for melodrama, one could focus chastely on the all-consuming question of art-historical development and the transition from Impressionism to Post-Impressionism, not to mention the pleasures of disentangling the threads of mutual influence and (on a strictly technical level, please) conflict, in the hope of offering a more solid account of just how Modernism came about. As a bonus, although Gauguin was already at this time explaining his differences with van Gogh as attributable to the fact that "he is romantic, whereas I, I am more inclined to a primitive state," his self-mythologization as a "savage" had not yet entirely solidified.

By the 1980s the focus of attention had shifted to Gauguin's later career and his two voyages to Oceania. Now, instead of evading the legend, it was time to wrestle it down. Putting formalism aside, historians interrogated Gauguin's work and character (as the appropriately juridical terminology would have it) from the double perspective of anticolonialism and feminism, and found it deeply wanting. Far from being the critic of European civilization he claimed to be, Gauguin was just one more adventurer who'd abandoned wife and children to indulge his passion for exotica, his illusions of lost paradises where the living would be easy and cheap, and a sleazy thirst for sex with dark-skinned underage women.

The tide began to turn back in Gauguin's favor, I think, with the publication of Stephen Eisenman's *Gauguin's Skirt* in 1997. Examining the evidence closely, Eisenman presented the artist's journeys as a gradual process of shedding many of the illusions he'd carried with him from France to the colonies. Moreover, Eisenman concluded, "Gauguin combined European and Polynesian ideas into a hybrid art that mirrored his own liminal stance on the contested border of sexual and colonial identity." In other words, he continually challenged his sense of self in his only very partially successful effort to learn from the people among whom he chose to live—natives and half-caste colonials, as opposed to the officials and gendarmes who were the constituted powers on the islands. The result is an art that fulfills in ways Gauguin could never have imagined the injunction he carved into a lime wood relief of 1890: *Soyez Mystérieuses* (Be Mysterious).

In "Gauguin: Maker of Myth," curator Belinda Thomson tries to show the artist's story, not as a regrettable excrescence on his art, nor as the hidden shame at its core, but simply as the intertwining of life and art through "narrative strategies." She uses the phrase "to encompass not only the deliberate, conscious ways Gauguin had of conveying meaning through picture-making and written commentary, but also the whole apparatus through which he projected himself into public consciousness, engaged with contemporary debates and generated critical discourse around his work." Thomson sees in Gauguin the artist as operator, albeit perhaps a sincere or at least self-convinced one. It's a fairly standard approach these days, and hardly surprising in the age of Jeff Koons and Takashi Murakami. Creating a public profile has long been part of an artist's job description, but there is a real risk of historical distortion in overemphasizing the deliberateness with which such a profile is formed and the artist's control over its contours.

In the case of Gauguin, the decision to investigate the work under the rubric of "narrative" as a way of articulating the bonds between life and art seems particularly inapt. Like so many artists before him and since, Gauguin liked to rail at the critics; but in his case the reason, over and over again, was precisely their penchant for turning paintings into literature. For him, the limitation of a painter like Gustave Moreau was that "he can speak only a language written by men of letters: the illustration, as it were, of old stories." True, Gauguin had been inspired to choose Tahiti as his destination in part by his reading of a trashy novel of exotic sensuality in the tropics, Pierre Loti's *Le Mariage de Loti*. But speaking of the figure in one of the paintings he made there, he insisted, "She is not some pretty little Rarahu, listening to a pretty ballad by Pierre Loti played on the guitar." The bodies and faces of the Polynesian women Gauguin incessantly painted were not simply offered up for delectation and the projection of fantasies. They possess their own intelligence and keep their own counsel; their slyness and self-possession make them resistant to interpretation, almost indecipherable. Gauguin identified with them precisely because he could not entirely "read" them. Something in them remained as mysterious to him as he was to himself.

It's practically a betrayal of Gauguin's intentions for Thomson to fixate on the idea of narrative as the key to his art. The paintings are literary only in the most literal sense—the paintings' titles are written on them, though often in Tahitian, which Gauguin didn't know as well as he thought and could assume his audience wouldn't know at all: *Aha oe feii?* (What! Are You Jealous?, 1892), *Manao tupapau* (The Spirit of the Dead Keeps Watch, 1892), *Eu haere ia oe*

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The most best, winter oyster,
what rings along the nerve.
Deepest seeking, heart-most root.

Zinc and copper. Clawed foot.
What streaks across the synapse,
harnessed to a moment.

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that beats or blurs

or bothers. The newt's
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(Where Are You Going?, 1893) and so on. They establish a mood or suggest a situation but never inaugurate a story. Why not listen to the artist himself, who from the beginning insisted that in painting, "color becomes essentially musical": that is, structured and evocative but not specifically discursive. In the paintings I've named and others, Gauguin conjures up rich cadences of dissonance and harmony out of color and line, the likes of which had no more been seen before in painting than had his Polynesian subjects. His colors are not often ruthlessly clear and crisp, as those of Henri Matisse would later be; they are suave, smoldering, somewhat distant—colors that don't declare themselves but slowly unfold in stepwise progressions. It is for the sake of their unprecedented cadences that we still remember his story, which also still has much to teach us.

"I find *everything* poetic," he once wrote to Vincent van Gogh, "and it is in the deepest recesses of my heart, that are sometimes mysterious, that I glimpse poetry." But despite his aversion to illustration in painting, his life often seems like a series of illustrations to an old poem by Baudelaire. In it, "*le vieux vagabond, piétinant dans la boue, Rêve, le nez en l'air, de brillants paradis*": the old vagabond, his feet trampling in the mud, his nose in the air, dreams of bright paradises. Toward the end of the 1890s, and especially after his move to the Marquesas in 1901, the character of Gauguin's painting begins to change. His health was declining. The paintings of his last years have a ragged, unfinished look, with drawing that sometimes seems maladroit even by the standards of an artist who'd always insisted that the greatness of an artist could never be measured by an absence of "mistakes." At times there is a sense of distraction: the stillness and calm Gauguin had always sought seem more beyond his reach than ever. Yet some of the paintings of this period, among them *Contes Barbares* (Primitive Tales), from 1902, present his art in its most powerfully concentrated form.

In a self-portrait Gauguin painted the year of his death, the proud masculine ego that shone through his many earlier ones has subsided. He betrays no sign of illness but looks far older than his 54 years. Happiness would never have agreed with him. It's not so much Gauguin's search for an earthly paradise that proves interesting but his continued inability to convince himself that he'd ever found one. Gauguin died dissatisfied, and in that dissatisfaction lies the aesthetic and political value of his art and his life. ■

Love and Hardship

by AARON THIER

Gary Shteyngart's first novel, published in 2002, was called *The Russian Debutante's Handbook*, and apparently it causes him some embarrassment. In *Absurdistan* (2006), his second novel, there is a character named Jerry Shteynfarb. He is a hack, a "perfectly Americanized Russian émigré" who has written a novel called *The Russian Arriviste's Hand Job* and is now "playing the professional immigrant game" in the New York literary world. He is vain, calculating and sexually indiscriminate, but he is also contemptible because he exploits the popular notion of what good fiction—*serious* fiction—should look like.

The Shteynfarb riff is something other than self-deprecation. It reminds us that *Absurdistan* is different, and what makes it different is that it ignores or parodies the severe manner that characterizes so much of what we now call "literary" fiction. The story is not easy to summarize because it's never more important than the bawdy set pieces for which it serves as pretext: Misha Vainberg, the outsized narrator, wanders around drinking and eating and making solipsistic observations. His epiphanic moments are ridiculous, his romantic entanglements are ridiculous, his haughtiness and his outrage and his language are ridiculous. Everything is ridiculous, but everything is unapologetically ridiculous. *Absurdistan* is an authentic comic novel, and it insists that we should not take it seriously.

What does this mean for Shteyngart's new novel, *Super Sad True Love Story*, which is not primarily a comic novel and which wants very badly to be taken seriously? Its antagonists are Lenny Abramov and Eunice Park, mismatched castaways in a dystopic America, and the novel follows the course of their relationship as it proceeds across uneven ground toward its inevitable dissolution. What will be striking to anyone familiar with Shteyngart's writing is the sobriety with which he approaches the subjects of love and mortality. What will also be striking is the degree to which he has abandoned many of the tonal and structural features that distinguished his first two novels. The writing here is utilitarian rather than exuberant; story is more important than scene; the men are not always fools and the women are not always

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BRIGITTE LACOMBE

Gary Shteyngart

Super Sad True Love Story
By Gary Shteyngart.
Random House. 334 pp. $26.

beautiful cartoons. It is an altogether more conventional book, which is not necessarily good or bad, but it means that it's the kind of book Shteyngart might previously have held in contempt.

It also means that the stakes are higher. If *Super Sad True Love Story* is a good book, we can say that the move toward a more conventional style is justified. But if it isn't a good book, we can say that Shteyngart has abandoned the style that made him unique in favor of a style that ambivalent readers are less likely to find challenging. That would put him in Jerry Shteynfarb territory—opportunistic, conservative and not as much fun.

Shteyngart's intention at the outset is to establish the many ways Lenny and Eunice are not suited to each other. Lenny is middle-aged, Eunice is young; Lenny has a good education, Eunice graduates from college with a major in "images" and a minor in "assertiveness"; Lenny is a man out of time, Eunice seems comfortable in her cultural moment; and although both characters are the children of immigrants, Lenny is preoccupied with this fact to the point of intellectual debility and Eunice is not. They fight constantly and they seem to have little to say to each other.

But they are also in love, and their attempts to make sense of that feeling are genuine and affecting. Shteyngart has given both characters a hand in the narration—Lenny is

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supposed to be writing in a diary, and Eunice writes e-mails and has instant-message-style conversations with her sister—which means that we know less about the actual character of their relationship, if such a thing can ever be said to exist, than about each character's private understanding of that relationship. This produces a melancholy atmosphere in which they seem to speak to themselves more than to each other, and everything we hear about their life together is colored by an individual sensibility. The novel is an exercise in romantic parallax; it is a way of illustrating the uncomfortable fact that a relationship must always consist of two separate ideas, and that those ideas shift and change and may become more or less compatible with time. This vision of their improbable love is certainly the best thing about the book—subtle, supersad and true.

What is not subtle is Shteyngart's characterization of the country in which Lenny and Eunice live. His Americans spend all their time fussing with mobile wireless devices called äppäräti. They're obsessed with weight and age. They think too much about finance. The government has been hijacked by an entity called the American Restoration Authority, which is in the pay of big business and has orchestrated a losing war in Venezuela. Children watch pornography, women's clothes are revealing to the point of transparency and no one reads books, which are said to smell. The country is ungovernable and bankrupt. It can't last, and it doesn't.

"Satire" is one way to describe this portrait of America. "An expression of tired outrage" is another. There are a few good moments—the description of the war in Venezuela is excellent, and so are the American Restoration Authority's misspelled slogans and the media personalities who broadcast the news only in the context of deeply personal monologues. But a good satire should provoke thought, and very often this one provokes only embarrassment and irritation. Much of what Shteyngart attempts to caricature is so cartoonish already that he manages only a kind of rephrasing. We don't need him to tell us that it isn't great to think too much about our weight, spend money we don't have on things we don't need and elect politicians who want to kill us. We certainly don't need him to tell us these things in exhausting detail. What we need from satire is the alienation of the familiar. We need a new perspective or a real insight. Shteyngart offers little more than a catalog of grievances.

In the end, readers who have reason to be dissatisfied with any aspect of American culture or politics will find corroboration of their feelings here. Readers who also look to literature as a means of escape, or who require escape from literature of this sort, will be relieved when Shteyngart's America collapses and characters are free to do and think about more interesting things.

One aspect of the satire that is not infuriating is Lenny's profession. He works for a company that offers its clients "indefinite life extension," a process of physiological renovation that amounts to eternal youth. Part of his interest in Eunice has to do with the fact that because she's young, she also *looks* young. Youth and the appearance of youth are not the same thing, and the distinction becomes a central concern for Lenny when Joshie Goldman, his boss, begins to display the effects of "dechronification" treatment.

All at once, Joshie looks young and feels young. In truth he's in his late 60s. How is an old man in the bloom of youth supposed to behave? That is to say: is it the obligation of those who look young to act young? Joshie thinks so, and he begins to imitate the vernacular eSpeak of American youth. "Talk young, live young," he says. But he can't get it right—even Lenny, never the most in tune with pop culture, has to remind him that no one says "home slice" anymore—and his failure in this respect is symptomatic of a more general problem with indefinite life extension.

What obsesses Joshie is not life but death, and his desire to conquer death is also a desire to be free of that obsession. He wants to be young again because he imagines that youth is a condition in which he won't be tormented by his fear of death. But if his desire for eternal life is born from an obsession with death, and if he imagines that eternal life is a condition in which one is not worried about death, the desire will preclude its own fulfillment unless he discards the preoccupation that has been a central feature of his personality. To get what he wants, he has to give up what he is. His refusal to grow old has less to do with the indefinite extension of his life than with the willful repudiation of his past—a repudiation of a mind or self shaped by a knowledge of its own fragility.

It's Eunice who becomes the hero in the second half of the novel, and she distinguishes herself by doing what Joshie is trying to undo: she grows up. She begins to understand the scope of her existence, to distinguish between what she wants and what she believes she should want; most of

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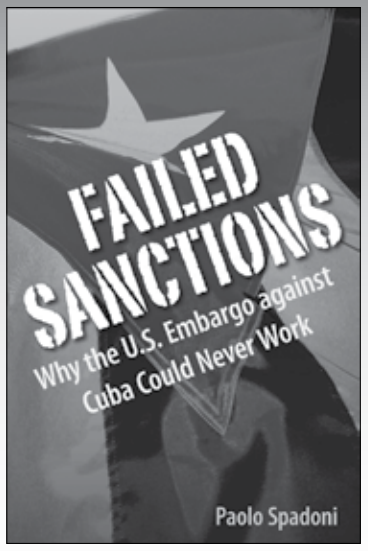

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all she decides that she is entitled to her own happiness. It's a quiet kind of triumph, but one of the best things about the novel is that it values these things as much as they should be valued. In a world that exalts immaturity and superficiality as much as hers does, honest self-reflection is a heroic thing.

What happens when your country falls apart and you lose all your money? If you still have what you've got in your head, life goes on. And what happens when you have to say goodbye to someone you've loved? Life goes on then, too. The best ideas in the novel are part of the same idea—the belief that internal life is valuable. This is the real payoff; the reason, we must assume, that Shteyngart has made the choices he's made. But is that payoff enough? Does it counterbalance the things he does badly? Are any of his good ideas necessarily inexpressible in a comic novel like *Absurdistan*?

There is a deep ambivalence in *Super Sad True Love Story*. By choosing to use two narrators, Shteyngart gives his book a kind of binocular vision that enriches the love story and emphasizes the profound changes that Eunice undergoes. At the same time, he relinquishes the breezy and coherent narrative voice that carries us past dull moments in *Absurdistan* and that might have made the dull moments in this book more tolerable. He also seems confused about how the two narrators should go about revealing the details of his alternate reality. Rather than risk any ambiguity, he has both characters contextualize their observations by repeating the same descriptions of products and people. Maybe this is plausible when Eunice is writing to someone who might need reminding, but it's not plausible if Lenny is writing in a private diary. It suggests that Shteyngart is not certain of the world he's tried to create.

The prose—especially in Lenny's sections, which make up the bulk of the story—is hesitant and bland. This may be partly accidental. Lenny is American-born, which means he must speak English with fewer clever idiosyncrasies than the protagonists of *Absurdistan* and *The Russian Debutante's Handbook*. But because Shteyngart has always been most comfortable when he's imitating broken English or writing something that reads like an off-key translation, this is a big sacrifice. Lenny has his moments—"you could drown a kitten in her blue eyes," "the sky was the color of ghosts," New York's John F. Kennedy Airport looks like a "gray Lagos slum"—but too often his language is nothing more than station-wagon prose that gets us from here to there. In the end he's not an interesting guy, and his voice lacks the jittery, anarchic quality that makes his predecessors compelling. To adapt Eunice's evaluation, "I know his heart is in the right place. It's always in the right place. But after a while, who cares, right?" The truth is that *Super Sad True Love Story* is not compelling at the sentence level. For a novelist whose appeal to many readers is his ability to be compelling at the sentence level, this is a problem that threatens to scuttle the book.

"Comic novel" is a very general term, and in many ways it must be understood to mean a novel that seeks primarily to entertain. But it can also mean a book in which heart and soul emerge in a careful interrogation of the ridiculous. It seems to me that *Super Sad True Love Story* could have been, and should have been, a comic novel in the same style as *Absurdistan*. The failure of the satire makes it hard to appreciate what the novel does well because the failure of the satire is above all a failure of tone. Shteyngart's American dystopia is ridiculous—it needs to be treated that way. The more extravagant and enthusiastic the tone, the more credible the satirical elements would become. Instead, the writing is pedantic where it should be brisk and ingenuous where it should be sarcastic. There is no reason to imagine that the love story and the story of Eunice's personal development require a more subdued tone. Both would profit if the rest of the book were less clumsy. The fact that *Absurdistan* avoids real sentiment doesn't mean that real sentiment is inaccessible to a novel written in that style.

In his first two books, Shteyngart seems to suggest that part of what's wrong with contemporary American fiction is the idea that certain topics—love, hardship, etc.—must always be discussed in an appropriately serious register. Jerry Shteynfarb gets famous for cynically manipulating this fact. He casts himself in the role of the unhappy immigrant writer, and his dour tone is apparently what makes his writing marketable. Whether or not Shteyngart is guilty of that crime, *Super Sad True Love Story* looks like an attempt to conform, to write quieter, less distinctive prose. And why should he feel he has to do that? Why should he feel compelled to rein in his gift? Comedy is valuable, and it may be especially valuable to a culture in which it's marginalized. It can teach us all about love and youth and death, but it can also teach us what other kinds of writing can't: it can teach us that literature should not always try desperately to teach us things. There is value in entertainment, and there is virtue in entertaining others. ■

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SAN FRANCISCO *Nation* discussion group. For information, e-mail evilhess@gmail.com.

NASHVILLE, TENN., *Nation* discussion group. Contact Howard Romaine. hromaine@gmail.com.

BERKELEY, CALIF., *Nation* discussion group. E-mail prehend@gmail.com.

SAN JOSE, CALIF., discussion group meets the fourth Sunday of the month, 1 to 3 PM, downtown. Contact Lois at loisaalbq@yahoo.com for more info.

BRANDON, FLA., *NATION* DISCUSSION GROUP FORMING. Contact Mary, (813) 689-8859.

ORGANIZATIONS

PLEASANTON, CALIF., Fremont, San Ramon, Danville, Dublin, Livermore *Nation* discussion group now forming. Call John at (925) 462-6815 or e-mail supervalue10@aol.com.

ASHEVILLE, NC, *Nation* discussion group forming. Contact mgibney@unca.edu.

PSYCHOTHERAPY

SAN FRANCISCO PSYCHOTHERAPIST. Anxiety, depression, relationship issues. Near USF. Sliding scale. (415) 289-6990. paulabranchholt.com. Paula Holt, LCSW.

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Events

NATIONAL

A New Era Dawns

■ As we face mounting world crises, British author Benjamin Creme offers good news. Throughout history enlightened teachers appear to help humanity take the next step forward. Now, led by Maitreya, the World Teacher, they have returned to inspire us to create a new era based on sharing and justice, where all people have food, shelter, healthcare and education as basic human rights. Free talks by Benjamin Creme in LA & SF. Info: Share-International.us, (888) 242-8272.

NEW YORK

The Economic Crisis & Left Responses

■ A conference convened by the Marxist-Humanist Initiative. Confirmed speakers: Brendan Cooney, Walter Daum, Barry Finger, David Harvey, Mac Intosh, Anne Jaclard, Andrew Kliman, Paul Mattick, Fred Moseley and Richard Wolff. Saturday, November 6, 9 AM to 6 PM, Pace University (Lower Manhattan). Pre-registration required: marxist-humanist-initiative.org/register-now. At our website, check out *With Sober Senses*, our new online publication. Please also consider writing for WSS and becoming a supporter or member of Marxist-Humanist Initiative. (888) 579-2245.

The advertising deadline for Events is every Thursday. Rates: $210 for 50 words; $260 for 75 words, additional words (above 75) $2.00 each. To place an ad, call Amanda at (212) 209-5414.

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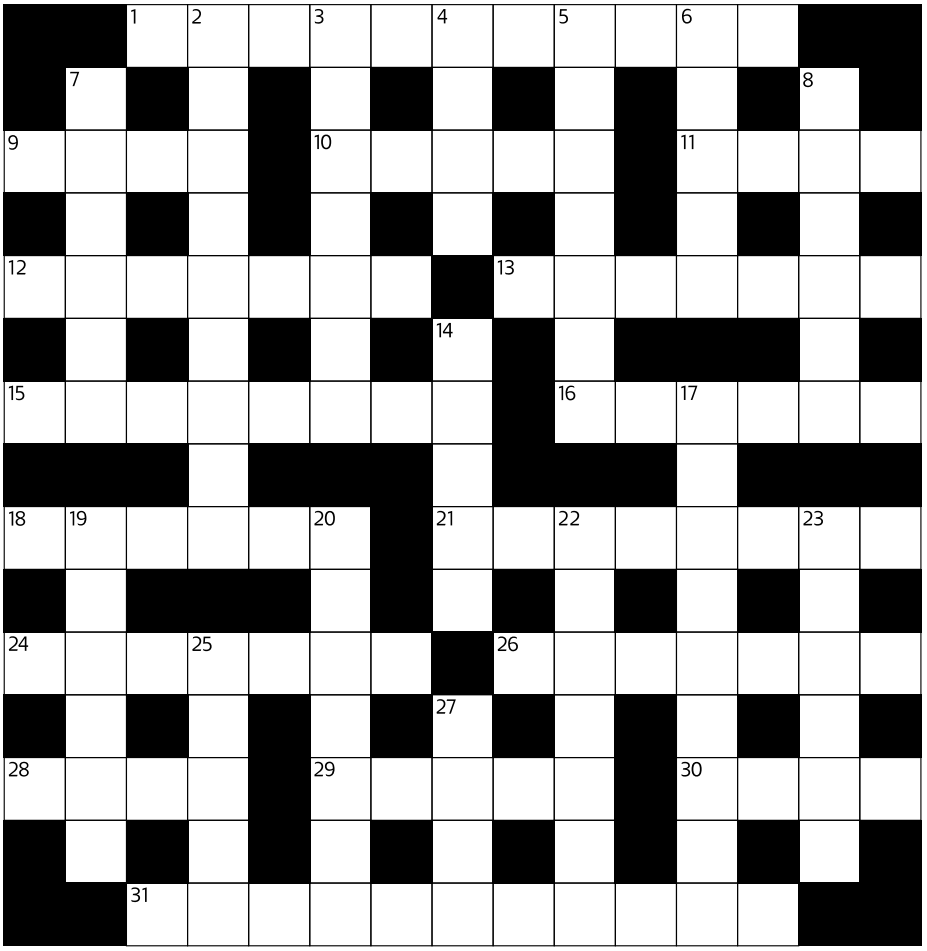
Puzzle No. 1605

FRANK W. LEWIS



ACROSS

1 The ordinary meaning of Paine's work? (6,5)

9 and **8** down Hose and hoes? (They might look good to Crispin.) (10)

10 and **28** What might be called out, with troubles on the campus. (4,5)

11 and **23** down Evidently the girls are close, but not exactly big hits. (4,6)

12 High-high, and definitely not relaxed. (2-5)

13 and **15** Certainly not a nightwatchman. (7,2,3,3)

16 Charpentier's girl, or Chevalier's. (6)

18 With Chicago thickly populated, there's still style there! (6)

21 M. in short. (8)

24 Impressed? Beat with the feet! (7)

26 It's only a theory, but I am most confused by it! (7)

28 See 10 across

29 See 7 down

30 The 9 type might go on a pump. (4)

31 See 3 down

DOWN

2 Tee on high ground? (You'll never make it whole.) (3-6)

3 and **31** across The one followed wasn't necessarily the contrary type, but what did she have to eat? (4,3,1,6,4)

4 Omit from 21, to form gas. (4)

5 It might make us feel a bit different, but comfortable. (7)

6 Where the law was received might be in dispute. (5)

7 and **29** across Alluded to when we tell politicians not to rock the boat? (4,2,5)

8 See 9 across

14 Such music certainly doesn't sound like hers! (5)

17 It might be the last thing one offers. (9)

19 What the computer might give. (6)

20 Used to carry the torch. (7)

22 Nothing at breakfast, for instance—except this! (7)

23 See 11 across

25 What you might deserve, in the first place. (5)

27 It might be the chain type, unless 24. (4)

This puzzle originally appeared in the November 1, 1975, issue.

SOLUTION TO PUZZLE NO. 1604

R	O	U	G	H	L	Y	S	P	E	A	K	I	N	G
E		N		U		A		R		I		N		R
P	R	I	N	C	I	P	L	E		R	A	T	I	O
A		O		K		S		S		C		E		S
C	A	N	A	L	S		M	I	G	R	A	N	T	S
K				E		P		D		A		T		E
	C	R	A	B	L	I	C	E		F	L	I	P	S
		A		E		P		N		T		O		
S	A	T	Y	R		E	N	T	I	C	I	N	G	
I		I		R		W		S		A				A
D	O	O	R	Y	A	R	D		G	R	I	P	E	D
L		N		F		E		S		R		O		H
I	R	A	Q	I		N	U	T	R	I	T	I	V	E
N		L		N		C		A		E		L		R
G	R	E	E	N	C	H	A	R	T	R	E	U	S	E

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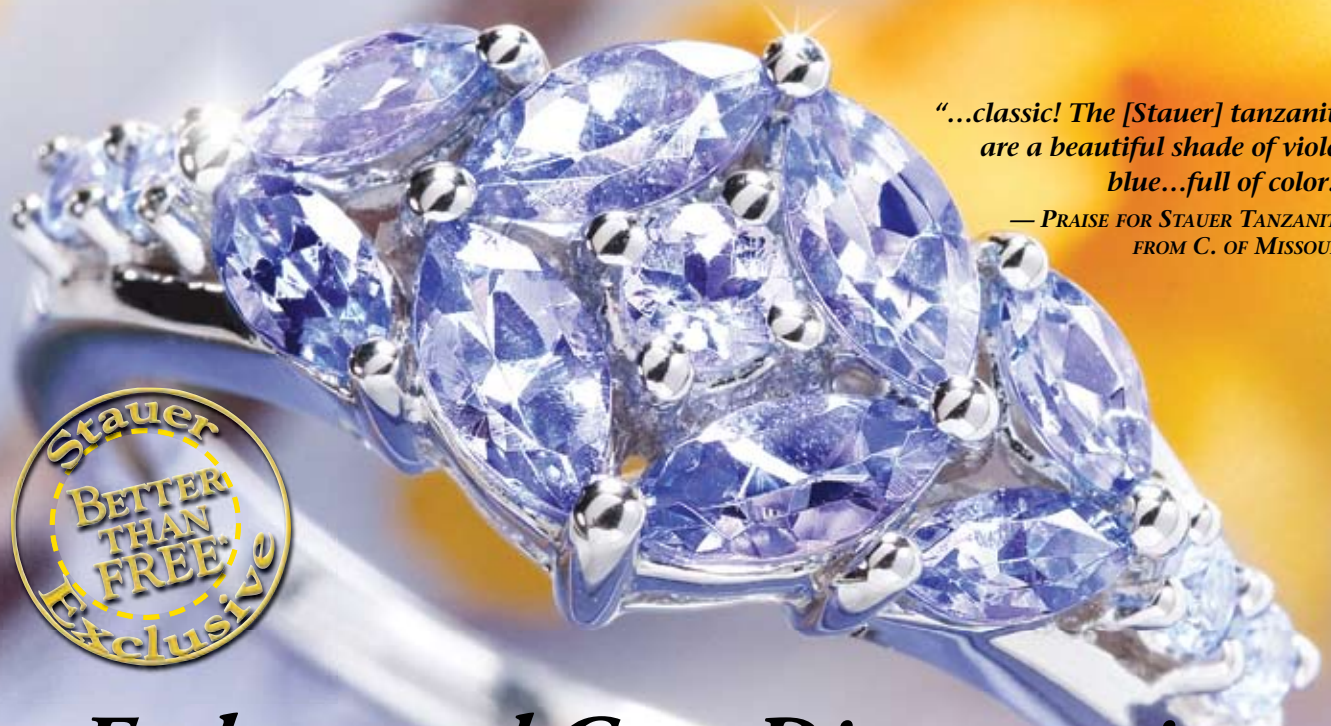

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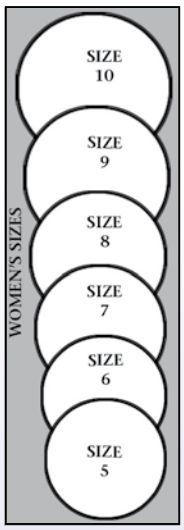

USING THE RING SIZE CHART
Place one of her rings on top of one of the circle diagrams. Her ring size is the circle that matches the inside diameter of the ring diagram. If her ring falls between sizes, order the next larger size.

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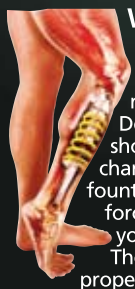
This is my story

I used to be more active. I used to run, play basketball, tennis, football… I was more than a weekend warrior. I woke up every day filled with life! But now, in my late 30's, I spend most of my day in the office or sacked out in front of the TV. I rarely get to the gym –not that I don't like working out, it's the nagging pain in my knees and ankles. Low energy and laziness has got me down. My energy has fizzled and I'm embarrassed to admit that I've grown a spare tire (I'm sure its hurting my love life). Nowadays I rarely walk. For some reason it's just harder now. Gravity has done a job on me.



Wear them and you'll know

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- Elevate your performance

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